

Wednesday, 15 November 2023

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(10.00 am)

LADY SMITH: Good morning. We turn, this morning, to another witness giving evidence in person and this is a witness who's going to give evidence over the videolink. Ms Forbes, you are going to lead this witness; is that right?

MS FORBES: Yes, my Lady.

The witness has waived anonymity. His name is Mark Lafferty. However, he prefers to be known as Max.

LADY SMITH: Thank you very much.

Max, good morning. I am Lady Smith. I chair the Scottish Child Abuse Inquiry here in Edinburgh. Thank you for engaging with us over the link this morning.

Before we ask you questions to enable you to give your evidence, I would like you to take an oath to tell the truth, please.

Mark Lafferty (sworn)

LADY SMITH: Max, I know that you have one of our red folders there, that has your statement in it, the statement that you signed. So that will be available for you to refer to if you want to at any time. You don't have to, but you can. You might be asked to look at it in just a moment.

Otherwise, Max, if you have any questions, at any

1 time, please don't hesitate to speak up. I want to do
2 everything I can to enable you to give your evidence as
3 comfortably as possible. So if, for example, you want
4 a break in giving evidence at any time, just say.

5 I always take a break in any event at around 11.30
6 in the morning, so if you want to bear that in mind, you
7 can look ahead to that when you might get some respite.

8 If you have any problems with the link, you must
9 say. It's really important that I know you're hearing
10 and seeing us all the time. We'll certainly let you
11 know if we have any problem at this end, because I want
12 it to be as close an experience for you and for us as we
13 would have if you were actually here in person.

14 If you're ready, I'll hand over to Ms Forbes and
15 she'll take it from there; is that all right?

16 A. Yeah, I'm ready.

17 LADY SMITH: Okay, Max, we'll do that now.

18 Ms Forbes.

19 Questions from Ms Forbes

20 MS FORBES: My Lady.

21 Max, good morning.

22 A. Morning.

23 Q. The microphone in front of you is quite sensitive, so
24 I think you might have some papers in front of you in
25 a folder, but perhaps just be aware that sometimes if

1 you are moving them we might be able to hear
2 interference on the microphone; okay?

3 A. Okay.

4 Q. Max, you have provided a statement to the Inquiry
5 already, which is in that folder that you have. The
6 reference -- which is for our purposes here, that you
7 don't need to worry about, but I'll just say what the
8 reference is so that we have it in the transcript -- is
9 WIT-1-000000940.

10 Do you have that statement in front of you, Max?

11 A. Yes, I've got it.

12 Q. If you could just go to the last page, which is page 31
13 for me, please.

14 A. Yeah. I've got it.

15 Q. On the last page; do you see there is a paragraph there
16 at the very end? It should have a date and signature at
17 the bottom of it.

18 A. Yes, it's my signature.

19 Q. At paragraph 141 there, it says:

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

24 It's your signature, and the date is 16 March 2022?

25 A. Yeah.

1 Q. Is that what you have?

2 A. Yes, that's right.

3 Q. That is the position; yes?

4 A. That's my position.

5 Q. I'm just going to start, Max, by asking you a few
6 questions about your background and your life before you
7 ended up going into any sort of care establishment.

8 I think you tell us in your statement that you
9 originally lived with your parents; is that right?

10 A. Yes.

11 Q. That was in a converted shop in Maryhill?

12 A. Yeah.

13 Q. Before your mum and your dad got together, your mother
14 had another marriage; is that right?

15 A. Yeah, [REDACTED].

16 Q. [REDACTED]

17 [REDACTED]

18 A. [REDACTED]

19 Q. [REDACTED]

20 [REDACTED]

21 A. [REDACTED]

22 Q. [REDACTED]

23 [REDACTED]

24 A. Yes.

25 Q. Then they had you [REDACTED]

1

2 A.

3 Q.

4 A.

5 Q.

6 Just to clarify, you were born in [REDACTED] 1963?

7 A. Correct, aye.

8 Q.

9

10 A.

11 Q. I think you tell us about your early life at Maryhill,
12 at paragraph 3 of your statement. You tell us that you
13 went to primary school from this converted shop in
14 Maryhill?

15 A. Yeah.

16 Q. There wasn't any real social worker involvement with the
17 family to begin with?

18 A. No, there wasn't any at all, as far as I'm aware.

19 Q. Then you moved from this converted shop to a new house
20 in Easterhouse, when you were about seven or eight; is
21 that right?

22 A. Yes.

23 Q. At that time you went to a school in Easterhouse,
24 Rogerfield School?

25 A. Yes, that's correct; aye.

1 Q. I think that's when you tell us about what was going on
2 in the family home, at paragraph 5. You talk about the
3 fact that you would start to truant from school?

4 A. That was after my father died. I did after my dad died,
5 aye.

6 Q. You tell us a little bit about your dad, and there was
7 some discipline meted out in the house; can you tell us
8 about that?

9 A. It wasn't -- my dad was -- I suppose, in most homes --
10 the kind of rule enforcer, for want of a better word.
11 But it wasn't physical violence or anything. He used
12 to -- but maybes it was allowed. I don't think it's
13 allowed, but I used to get slapped on your behind if you
14 done something wrong, but nothing bad or long lasting,
15 or whatever.

16 Q. Your recollection is that you didn't start skipping
17 school until after your dad died?

18 A. Yeah, probably -- maybe once or twice before that,
19 but ...

20 Q. At paragraph 6, you tell us it was in 1973 that your dad
21 died?

22 A. End of 1972/beginning of 1973, roundabout then.

23 Q. You were about nine or ten at the time?

24 A. Yeah.

25 Q. That's what you remember.

1 A. Yeah.

2 Q. You say that's when things started to go wrong; is that
3 right?

4 A. Yes.

5 Q. Your mum then couldn't discipline you and there was no
6 fear anymore from your dad being around?

7 A. Correct, aye. That's right.

8 Q. Social workers still weren't involved at that time; is
9 that correct?

10 A. That's correct.

11 Q. Then you really just stopped going to school at that
12 point?

13 A. Just never went. I think I got expelled, actually.
14 That was the final outcome for not going. So they just
15 expelled me.

16 Q. You tell us later, at paragraph 8, that you were sent to
17 see an occupational therapist at some point because you
18 refused to go back to primary school; is that right?

19 A. Yeah.

20 Q. You were bored at these sessions and you just refused to
21 go back to them?

22 A. Yeah, because they just used to lock you in a room and
23 then -- for a couple of hours, like a big classroom you
24 got locked in. And I was the only one there at that
25 time, so ... but the guy used to go away, so there was

1 nothing really to do, so --

2 Q. Just you in a room with a guy who would leave you with
3 some things to do and then go away?

4 A. Yeah. That was it.

5 Q. I think we get to the point then where you're told that
6 you might need to go away for a week or two?

7 A. A couple of weeks to -- they called it a residential
8 school. At that time, they called it that. And I would
9 only be there for two weeks.

10 Q. I think this is because, apart from the school issue,
11 you tell us you had been setting fires with some blocks
12 of wood that you'd got hold of?

13 A. No, I was building a bonfire for Bonfire Night. It used
14 to be a thing back then, not so much now. But what we
15 done was, we had -- if there was an empty house, they
16 put wooden boards on it. So we used to take them off it
17 and put them on the bonfire round the back. That was
18 it. I wasn't an arsonist or anything.

19 Q. You don't remember any Children's Panel involvement at
20 that point; is that right?

21 A. Not that I can remember.

22 Q. And --

23 A. Maybe there was. Was there any? No, there wasn't any
24 that I remember, but if you're telling me there was,
25 I'll ...

1 Q. No. I'm not trying to suggest that to you, Max.

2 A. I thought that's what you meant. But, no, sorry.

3 Q. I think, starting from paragraph 11, you talk about what
4 happened and how you went to Balrossie?

5 A. Yeah.

6 Q. I think you say that your mum came with you; is that
7 right? On the journey.

8 A. My mum and my aunty. I think my Aunty [REDACTED] was there as
9 well. My mum was definitely there.

10 Q. Your mum was upset when this was happening?

11 A. Yeah.

12 Q. And there was a social worker along with you as well?

13 A. Yeah, she was driving the car.

14 Q. I think you comment that this was the first time you had
15 ever been in a car in the front seat?

16 A. Yeah. It was. There wasn't a lot of cars then.

17 Q. You are taken to Balrossie. I think the Inquiry has
18 seen a record that you might not have seen, but it
19 states that you were admitted on 28 July 1979, so you
20 would be about 11 years old; does that sound right?

21 A. Not 1979.

22 Q. Sorry, 1975.

23 A. Aye, I thought it was 1974, but I'll stand corrected.
24 It was a long time ago for me.

25 Q. I think you do tell us in your statement that you were

1 about 11. If it was July 1975, you wouldn't have been
2 12 until that [REDACTED], so would you still have been 11?

3 A. Yeah. That's what I mean, aye. It's just the years --
4 the age I'm talking about, not a specific date, yes.

5 Q. Like you've said, you were told you were going to stay
6 there for a few weeks, but it turned out that this was
7 a List D school and you came to know that you would
8 actually -- they said you were going to be there for
9 maybe two years?

10 A. Yeah.

11 Q. I think you were pretty upset about that; is that right?

12 A. To say the least, yeah. I wasn't expecting to be there
13 that long.

14 Q. Did you feel that somebody had not told you the truth
15 about what was happening with going to Balrossie?

16 A. Well, first I blamed my mother for not telling me, but
17 I don't even know if she knew. I take it she did. And
18 the social worker as well. I thought I should have been
19 told least, but obviously I wasn't.

20 So I blamed my mother quite a lot for it, but
21 obviously the decision was taken out of her hands. I
22 obviously know that now. But, at the time, when you're
23 that age you're just sort of lashing out at the closest
24 person, I take it.

25 Q. If I can just take you to a record -- I think you have

1 some papers in front of you and there should be three
2 different documents. The document that I want to take
3 you to is -- it's GLA-000003255. It's a document --
4 it's a 72-page document, but I just want you to have
5 a look at the first page of that.

6 A. Okay.

7 MS FORBES: If you can have a look at the first page, you
8 can see that this is a record of supervision. The name
9 in -- the name is blacked out. But, take it from me,
10 that that's your name that's there and your date of
11 birth and it says age at date of order, 11.

12 It says address at present is Balrossie School.
13 Then, if we go further down the page, it says "Offence:
14 shopping lifting", and then it says previous court
15 appearances, date 11 February 1975, Children's Panel,
16 offence including shoplifting and decision to be
17 continued. Then it was continued until 26 July 1975?

18 LADY SMITH: There is also a note that there was a Sheriff
19 Court proceeding of some sort.

20 MS FORBES: Yes, shoplifting as well, I think it says, my
21 Lady.

22 LADY SMITH: So both court and the panel.

23 MS FORBES: Yes, two together. That's in the middle of that
24 page, if you can see it.

25 A. I can see it.

1 Q. There is a part 3 further down the page, and it has,
2 "(i) supervision order", and then it says from,
3 "26 July 1975 to", and it doesn't have a period there.
4 It says:
5 "Court making order and Judge - Children's Panel."
6 And there's a name and there is another date.
7 If we can then go to the second page of that
8 document, you can see at the top left-hand side there's
9 a date that's blacked out, where it says:
10 "July 26, 1975. Mark placed in Balrossie School.
11 Mother taken to school with the boy. Home leave to be
12 considered in August."
13 So it seems that at that point then you are put
14 under this supervision order and you are having to go
15 and stay at Balrossie. But what you are telling us is
16 at the time you weren't really aware of what was going
17 on?
18 A. I wasn't aware.
19 Q. I'm going to ask you questions about what happened when
20 you arrived in Balrossie. I think you tell us that
21 there were some staff members that you remember; is that
22 right?
23 A. Yeah.
24 Q. Who were they?
25 A. I can't remember their names. The only one I remember

1 was SNR [REDACTED], we used to call him. I don't know
2 if that was his title, but that's what he was called,
3 SNR [REDACTED]. A Mr GKF [REDACTED] he was at that time. I
4 could be wrong about that, but this is what
5 I'm recalling.

6 Q. I think you tell us, at paragraph 14 of your
7 statement -- if we can go back to that -- that there
8 were about 80 to 100 boys there.

9 Obviously, you were aged 11, but the oldest boys
10 there were about 14 or 15; does that sound right?

11 A. Yes, aye.

12 Q. You tell us that there was, apart from SNR [REDACTED],
13 who you said was Mr GKF [REDACTED], you remember another man on
14 staff called Mr GBR [REDACTED] or Mr GBR [REDACTED].

15 A. Yes, I remember him.

16 Q. I thin you tell us, at paragraph 15, people said things
17 about Mr GBR [REDACTED] or Mr GBR [REDACTED]?

18 A. He was a pervert. I didn't even know what a pervert was
19 then, to be honest with you, but that's what they used
20 to say.

21 Q. You go on to tell us that there were people in there for
22 care and protection?

23 A. Yeah, some people was -- their mother was an alcoholic
24 or didn't have a lot of family or didn't have contact
25 with the family. Just boys that didn't go out at the

1 weekends and things.

2 Q. Apart from that, there was also people in there for
3 committing offences and maybe stealing things or not
4 going to school?

5 A. Yes, there was everybody in for everything, basically,
6 at that time; breaking into shops and car stealing,
7 everything. It wasn't just not going to school people.
8 It was all different things.

9 Q. I think you tell us that in relation to Mr GBR or
10 GBR, who you were told was a pervert, there was
11 an issue about some boys going home with him at the
12 weekend?

13 A. I'm sure their name was [REDACTED], two brothers. One was
14 obviously -- they weren't twins, older brother and
15 younger brother. But they used to go home sometimes at
16 the weekend with Mr GBR, and actually that's where the
17 name -- he was a pervert came up, to be honest with you.
18 I don't know -- I don't know if it was speculation or
19 whatever.

20 He kind of paid more attention to them than most of
21 the other boys anyway, as far as I could see. But as to
22 what went on, I don't know. But they used come back on
23 the Monday and they were kind of quiet, so -- and they
24 wouldn't tell you what they done. Like, did you go
25 swimming, whatever? But they never told you anything

1 like that.

2 As I said, I don't know what happened to them, but
3 you kind of get a sense it wasn't a very good experience
4 for them anyway. That's what I took from what I can
5 remember.

6 Q. So you are telling us that these boys, after coming back
7 from being away with Mr GBR or GBR for the weekend
8 were behaving in a way that you thought was different?

9 A. Yeah.

10 Q. I think you tell us, at paragraph 16, that they never
11 spoke after they came back for days at a time?

12 A. Yes, that's what I was saying. They were really -- sort
13 of withdrawn.

14 Q. That's not something you discussed with them, about why
15 they were acting that way?

16 A. No, you would ask. But, as I said, "What were you
17 doing?", and that, but they would never tell you.

18 Q. I think that whilst you were at Balrossie there were
19 issues. At paragraph 18, you describe it as a place
20 that was an "Academy of crime"?

21 A. Certainly was, aye. It was.

22 Q. This is --

23 A. You could learn anything sort of a -- criminal that you
24 wanted, I suppose.

25 Q. Was this between the boys in there swapping information

1 and stories about the type of things they would get up
2 to when they were not at the school?

3 A. Aye.

4 Q. I think you say you started to learn how to steal cars
5 in there, first of all?

6 A. Well, it wasn't till I went to Dundee that I actually
7 drove a car for myself. But there was other boys in
8 there, they knew how to drive cars and that, yeah.

9 Q. I think --

10 A. Knew how to steal cars as well, because far too young to
11 have a driving licence, obviously. But I used to when
12 I -- just everything, car stealing. Just everything,
13 everything to break the law, kind of thing.

14 Q. You say that although you started to learn there, it was
15 really later on, at Balgowan, that that became something
16 that you were more involved in?

17 A. Aye. Because it was further away.

18 Q. If we could just go further on in your statement,
19 I think you tell us about the food at Balrossie a little
20 bit, paragraph 23.

21 You say that the food to you at that time, as
22 a child, was disgusting?

23 A. It probably wasn't. But, as I said, we weren't used to
24 eating healthy meals. I suppose it was like budget food
25 we were -- so that's what I was used to. But there were

1 vegetables and things there, and I wasn't used to eating
2 a lot of vegetables. Don't get us wrong, I used to get
3 brussels sprouts at Christmas, I suppose that's a thing.
4 But, apart from that, I can't remember a lot it, veg in
5 my diet anyway. So I didn't like it.

6 Q. If you didn't eat it; would anything happen?

7 A. Aye, you got -- there used to be -- you sat at long
8 tables. On either side would be all the boys and in
9 between the rows the staff would walk up and down. So I
10 pushed my vegetables and all that to the side. I didn't
11 eat anything like that because I didn't really like it
12 anyway. I don't suppose any kid likes vegetables, but I
13 got a slap to the back of my head and told to eat my
14 dinner. Told them I didn't like it, and then they
15 upgraded the slap to a punch or whatever.

16 That was the kind of discipline. That's what
17 happened, and that's what happened all the time.

18 Not every single time, but the threat of violence
19 was always underlying through the staff. We used to
20 call the social workers. I don't even know if they were
21 social workers, but that's what we used to call them.

22 And violence against us was a regular thing, which I
23 didn't think anything wrong with after a while. I
24 thought that was just the way things were done, but I
25 didn't like it.

1 You used to get slapped for not eating your dinner.
2 You wouldn't get any pudding if you didn't eat your
3 dinner and all these kind of silly things. But, as I
4 say, at that time I thought it was just normal. It was
5 just the way things were done.

6 Q. You say you were slapped and it was upgraded to a punch.

7 A. Aye.

8 Q. Where would you be punched?

9 A. The side of the head. Always the side of the head.

10 Q. Was there any particular member of staff involved in
11 that or was there more than one?

12 A. As I say, there is only certain names I can remember.
13 This is nearly, what, 50-year ago. But, basically, they
14 all done it. I've seen them all doing it, all the ones
15 that were there. They done it at one stage or another.
16 I'll not say every single one. But, in general, it was
17 an acceptable form of punishment that was meted out.

18 Q. I think you tell us later that there was some school
19 classes, because you were 11 at that time and you would
20 have still been primary school age; is that right?

21 A. Yeah, aye, aye. We used to go -- you had the
22 dormitories at one end of the building and there was --
23 then you had the administration bit on the -- the other
24 side and, up above that, I think it was three or four
25 classrooms. But, as I was in there for not going to

1 school, I didn't see why I had to go to school in there,
2 so I didn't ever do anything. I didn't ever take part
3 in anything.

4 So you used to get discipline for that, for want of
5 a better word, used to get told you were doing it,
6 slapped or whatever.

7 And it ended up I just got put in a corner. And
8 they give you like a thing, a stencil, and just told me
9 to go and sit and play with that. I used to just sit
10 stencilling things and all that. I just totally wasn't
11 going in at all, eventually.

12 So, to be honest with you, I think they wanted me
13 out the classroom anyway.

14 There were a couple of other guys that never done
15 it. It wasn't just me. I'm not saying I was the worst
16 guy in there or anything. Aye, so, if you didn't do
17 much school work, basically you just got left to wander
18 about the area, the grounds.

19 Q. When you were there, you weren't really getting much
20 schooling, to be fair?

21 A. No. I wasn't getting any after about a couple of weeks.
22 I wasn't getting any schooling. And I was fine with
23 that at that time. And I was okay with it.

24 Q. You said, obviously, earlier, that you were upset about
25 your mum telling you that you were only going there for

1 a couple of weeks. When you did go back to see your mum
2 on weekend leave; did you speak to her about that?

3 A. No. It was -- it was the social worker told me I was
4 going for a couple of weeks. It wasn't my mother. My
5 mother didn't elaborate that it wasn't going to be, so
6 sort of a -- I spoke to her about it, but I'm assuming I
7 did. I can't really remember a specific conversation,
8 but I told her we were getting slapped and punched and
9 whatever, but she didn't believe it anyway.

10 LADY SMITH: Max, you said a few moments ago that you were
11 in there for not going to school.

12 A. Probably --

13 LADY SMITH: Hang on, wait, wait, Max, if you let me finish.

14 You said you remember you thought you were there for
15 not going to school, but we've seen from the records
16 that the reason they decided that you were going to
17 Balrossie was because of shoplifting; is that right?

18 A. I think that's when I was in Balrossie, I was charged
19 with shoplifting.

20 I could be wrong. But it probably wasn't just not
21 going to school. That's what I was going to say there,
22 but I'm going with my recollections. But the big thing
23 was I wouldn't go to school. But I remember I
24 shoplifted a packet of tarot cards from Boots one time
25 because I liked the pictures on it. So that was a thing

1 anyway.

2 LADY SMITH: Let me ask you this: is it possible that you
3 are remembering not going to school because that's
4 something you did a lot, and one of the things you were
5 doing when you were not going to school was shoplifting?

6 A. It was, aye. And that's what I was going to say.
7 I'm not saying I was an angel and it wasn't just for not
8 going to school. There were a couple of other things,
9 but nothing really bad, if you know what I mean.

10 LADY SMITH: Okay. That all makes sense. Thank you for
11 helping me with that, Max.

12 A. Okay.

13 LADY SMITH: Ms Forbes.

14 MS FORBES: My Lady.

15 You tell us that the set-up at Balrossie was that
16 this wasn't a secure place; is that right? The front
17 door was locked, but the windows were open?

18 A. Yeah. Well, there were blocks. You could only open
19 them up maybe a couple of inches to let the air in, but
20 there were blocks of wood to stop you opening them up
21 any more, but they were all unscrewed anyway. You could
22 just take the block off and open the window if you
23 wanted.

24 Q. You tell us later that once you realised where you were
25 and you worked out the places you needed to get back to

1 Glasgow, you absconded a number of times from Balrossie?

2 A. Aye. I think I ran away on my second or third day
3 there. But, after that, I ran away a lot of times.

4 Q. Sometimes that was on your own, but sometimes that was
5 with other boys from Balrossie?

6 A. Yeah. The first couple of times I done it myself and
7 there was other guys doing it, too. And they would
8 point out what mistakes I made and how I got caught and
9 whatever. So I decided I would do it with them because
10 they used to go to Port Glasgow, the train station,
11 whereas I tried to walk home, but they had a better plan
12 than me, so I went with them instead, eventually.

13 Q. These times you ran away, you would inevitably be caught
14 at some point?

15 A. Yeah.

16 Q. Then you would be brought back to Balrossie?

17 A. We would, aye.

18 Q. When you got back to Balrossie; were there any
19 consequences for having run away?

20 A. I remember getting the belt a couple of times in
21 Balrossie. But you used to get locked in a room with
22 your pyjamas on, things like that. I don't know if it
23 was to -- it was a settling down period. That's what
24 they used to call it, a settling down period or
25 a calming down period. For a couple of days you would

1 be in a locked room. I certainly was, anyway. It
2 didn't happen to everybody. But I was an abscondee,
3 they called it. I used to abscond often. Why would I
4 want to stay there anyway? Do you know what I mean?

5 Q. Can you tell us about the room that you would be put
6 into?

7 A. Just a room with a bed and a lock on the door. It had
8 a window with a metal grate on it, like square grate.
9 You could see out. It was just a wire grate, but thick
10 wire and a square part, and that's where they put me, in
11 there.

12 Q. Usually, would you be in dorms along with some of the
13 other boys?

14 A. Usually, the dorms were about eight to ten people.
15 There were a couple of bigger ones, but that was, like,
16 the general kind of size of them, from what I can
17 remember.

18 Q. After you had run away, you were in this locked room,
19 you say, for one or two days at a time?

20 A. Yeah, aye, roundabout that. Sometimes it was longer
21 than one or two days, depending on how long I had been
22 away or what I can done. Because I committed crimes and
23 all that when I did run away. But one or two days was
24 the norm, anyway. And sometimes it was longer, as I
25 said.

1 Q. Depending on what the staff at Balrossie knew you'd been
2 up to whilst you'd been on the run, would depend on how
3 long you would end up in this room?

4 A. Yeah.

5 Q. What did you do when you were in this room all day?

6 A. Nothing. Nothing at all. Just me in that room, staring
7 at the ceiling. There wasn't a telly or anything in it,
8 no books, no -- nothing. Just you were locked in that
9 room.

10 Q. Did you get out at all during the course of the day?

11 A. No, no, you didn't get out.

12 Q. So you didn't get to go outside -- sorry, talking over
13 you.

14 A. No, no, I just jumped in there, sorry.

15 I suppose they kept you in there and didn't let
16 you -- or take you in case you ran way again,
17 I'm assuming. I don't know their thoughts behind it.
18 But you were locked in there until you got let back out,
19 and that was it. You didn't get break in between it,
20 exercise or whatever. Didn't get anything like that.
21 You never got out for a shower or a bath, or whatever.

22 You walked in there -- I think there was a bucket or
23 a wee trapdoor to go to the toilet. I'm not
24 100 per cent with that. But then you were locked in
25 there the rest of the time.

1 Q. What about food; did you get out at all to eat your
2 lunch or your dinner?

3 A. No, the food got brought to you. You got fed in -- we
4 used to call it a cell. But, obviously, I'm in a cell
5 now, so I know what a cell looks like. It wasn't like
6 a cell in here, but it was bad enough.

7 Q. At paragraph 37, you talk about the room, that you
8 complained to your mum and your Aunty [REDACTED] that you were
9 meant to have been there for a week and you'd been there
10 for months. When you say that; are you talking about
11 Balrossie? Are you talking about the fact that you'd
12 been in Balrossie for months, not this room?

13 A. No, no, I wasn't in the room for months. I'm talking
14 about in the place. I wasn't in there for months, no,
15 no.

16 Q. These occasions when you ran away; where did you stay?

17 A. In empty houses. But the first time, when I actually
18 made it back to Glasgow, I went to my own house and my
19 ma phoned the police. I thought she had betrayed me at
20 the time, but I didn't know she could get charged with
21 harbouring me because I was meant to be -- so I didn't
22 understand all of that.

23 From an emotional point of view, it was a betrayal.
24 But, obviously, looking back on it, I totally understand
25 why she did it, because the police were out looking for

1 me as well and, as I said, my ma phoned the police. So
2 I didn't go back to my house after that.

3 But I used to stay in empty houses. A lot of empty
4 houses in Easterhouse, that's where I ended up. We used
5 to stay in them, just in an empty house.

6 Q. Would that mean that you were away for more than a few
7 days at a time? How long were you normally away for?

8 A. The longest that I can recall I was away was a couple of
9 weeks. A couple of weeks, probably, was about the
10 longest. Because if they see a wee boy walking about
11 the streets when everybody else is in school, they're
12 going to ask you about it, and that's how we used to get
13 caught. So we didn't used to go out in the day. It
14 lasted a couple of weeks, staying in an empty house.

15 Q. You are 11 years old at this time; is that right?

16 A. Yeah.

17 Q. What are you doing to survive, to eat and things like
18 that?

19 A. Well, see the fruit shops that put all the fruit
20 outside? We used to steal fruit, things like that. Or
21 broke into a shop a couple of times and stole the
22 sweeties. It wasn't even food, it was just the
23 sweeties, and we ate them. That's what we used to do to
24 eat.

25 Q. Inevitably, if you're stealing things, you're going to

1 get, sometimes, caught for that and these were
2 offences -- new offences that you're getting --
3 shoplifting and things like that?

4 A. Aye. Shoplifting, stealing cars. The thing -- I had
5 a lot of different charges by the time I was finished
6 with all the -- the (indistinguishable) school stuff
7 anyway. I had a lot of different charges, aye.

8 Q. At paragraph 41, you tell us that there was one time you
9 were away, the longest time you were away for, it was
10 about -- it might be paragraph 40 -- eight weeks?

11 A. Aye, I say that now. Salvation Army grassed us, aye.
12 Grassed us up. We thought we would get somewhere to
13 sleep in there.

14 Q. You told us that you had left the floor boards up and
15 sleep underneath the floor boards of the floor?

16 A. Yeah. That was in -- I had a pal who stayed in
17 Dalarnock and he had a trap door in his room. I don't
18 know why he had a trap door in his room, but he did
19 anyway, and we used to sleep underneath his room.
20 And -- it wasn't even a cellar, it was just a space.
21 Aye, we did that quite a lot.

22 Q. That was his own house? He had a trapdoor under his --

23 A. Aye.

24 Q. -- floor?

25 A. Aye.

1 Q. You talk about one occasion where you're staying in
2 an empty flat above a shop?

3 A. Yeah.

4 Q. And then --

5 A. I can remember we were in an empty shop and empty house
6 above the shops because they were clearing all the
7 tenements out at the time, all the old tenements. And
8 they all had shops underneath them, so we -- what we
9 used to do was lift the floor boards up, make a hole in
10 the ceiling and go into the shop. We used to put a rope
11 in because you couldn't get back out if you didn't. But
12 that's what we used to do, and take all the sweeties and
13 whatever.

14 I think we got a bottle of table wine one night, but
15 I think I was sick with that. That's what I can
16 remember, those kind of things, aye.

17 We lifted the floor boards up and went into the
18 shop. Broke into the shop. Not went into the shop;
19 broke into the shop, aye.

20 Q. You would end up with these other charges, you'd get
21 caught by the police and then you would be back at the
22 Children's Panel again, facing new offences?

23 A. Yeah. Mm hmm.

24 Q. On these occasions you initially went back to Balrossie?
25 You were remanded back there; is that right?

1 A. Yeah. I always got sent back there.

2 Q. Then you tell us about the situation in relation to
3 people wetting the bed, at paragraph 43.

4 You say that there was name calling?

5 A. Aye. They actually had a name for it, and it sounded
6 sort of -- I don't know, proper. An enuretic, I can see
7 it here. That's what they used to call them. I don't
8 know if that's a real thing.

9 LADY SMITH: Max, hang on. It is, because the condition of
10 bed wetting is called enuresis, so somebody who has
11 enuresis is an enuretic.

12 A. Thanks for pointing that out.

13 LADY SMITH: That is your learning for the day.

14 A. There you go. I always did wonder about that. But
15 that's what the people were called, you were
16 an enuretic. And it was sort of an embarrassing thing
17 to be called, because everybody else is calling you it.
18 So rather than say to you, "Listen, you can't do this",
19 or, "What's wrong with you?" or whatever, it was sort
20 of -- they branded you as a bed wetter. So you can
21 imagine, it's a school full of boys and you've wet the
22 bed. It's not a great thing. So that's what used to
23 happen. You used to get called enuretic, piss the bed,
24 all those kind of things. Aye, that's what they done,
25 stood you in the corner.

1 I don't even know why they would do that. What has
2 one got to do with the other? It's not like you're
3 doing it deliberately, but you get punished for it
4 anyway. That's what I'm saying, there was always
5 a punishment for everything. If you stepped outside the
6 rules, there was always punishment.

7 I don't even know if that is a rule anyway, come to
8 think of it, wetting the bed, but it is what it is.

9 MS FORBES: The staff are using this word "enuretic" --

10 A. Yeah.

11 Q. -- it's not the other boys that's using that, is it?

12 A. No, no. As I say, I still didn't know if it was a real
13 word. But that's what the staff used to call people,
14 an enuretic. Maybe they thought they were more learned
15 than us, I don't know.

16 Q. You use the phrase "piss the bed" as well there; so is
17 that coming from the staff or coming from other boys?

18 A. That's coming from the boys and the staff. That's what
19 people would say.

20 Q. Then this being made to stand in the corner for an hour,
21 you say in your statement?

22 A. Yes.

23 Q. You had a particular view about that, even back then,
24 about the way people were treated in relation to bed
25 wetting?

1 A. Aye, as I said to you a minute ago, I don't see what
2 one's got to do with the other. They're punishing
3 people -- obviously, they're not doing it deliberately.
4 I don't know. There's people might be into that,
5 but certainly not at that age. I don't know. They
6 weren't doing anything wrong as far as I seen, but they
7 were getting punishment for it. I didn't think it was
8 right. I thought it was kind of an outrageous -- I'll
9 not use this word here. But it's not very good. It's
10 not a very good thing to be doing to people.
11 You would think you would be trying to help them,
12 rather than single them out for punishment. That's what
13 I thought. And I still think that, anyway. It's not --
14 Q. Bed -- sorry.
15 A. Even back in the 1970s, I wouldn't think that would be
16 acceptable behaviour if you're doing that with people,
17 but that's what used to happen anyway.
18 Q. Bed wetting was a problem that you had at that time; is
19 that right?
20 A. Occasionally, aye, aye. I suppose it was drinking too
21 much before you went to sleep. Because I've got
22 children of my own, you always make them go to the
23 toilet before they go to sleep. But sometimes you get
24 up during the night and take a drink, but it wasn't like
25 a medical condition I had. It was probably drinking too

1 much condition.

2 I never had a problem with it as such, but it did
3 happen to me on occasion.

4 Q. When it happened to you, and you were told to stand in
5 the corner; what did you do?

6 A. I wouldn't do it. I refused to do that. In the end --
7 when you refuse to do that, they would try and push you
8 into the corner and just put their hand on you and hold
9 you. But, as soon as they took their hand away, I used
10 to duck under their hand and run away from them or
11 whatever. I ended up having to do it anyway. I done
12 everything that I could to disrupt them holding me there
13 as well. But I used to get held in the corner, but I
14 wouldn't let them.

15 Q. You tell us about a particular occasion, at
16 paragraph 45, where you refused to stand in the corner
17 and it started an argument; can you tell us what
18 happened then?

19 A. Aye. I should have mentioned that anyway, a couple of
20 slaps. The reason I'm not mentioning it, you have to
21 understand, slaps are an everyday occurrence for
22 breaking the rules. That was just -- it was like -- if
23 I say to you no, you get a slap. If I do something
24 wrong, you get a slap. It just wasn't a thing, and
25 that's why I don't bring it up. But it's always there.

1 If you don't do what you're told, you get a slap or
2 a punch.

3 The more I think about it, it used to be in places
4 where it couldn't be seen, above your hair line and
5 things like that, but it was always there. You get
6 a slap for talking back. You get a slap for not eating
7 your dinner. Physical abuse was the way they used to
8 control us. That was the way. There was nothing else,
9 but the threat of physical abuse to control people in
10 there, and that's why I used to run away all the time.
11 I wasn't happy with that at all, and that's why I used
12 to run away. Or I would have stayed if it was okay, but
13 I wasn't staying for that.

14 Q. This room you told us about earlier, that would you go
15 into after you would be returned from running away; was
16 that used at all in relation to bed wetting as
17 a punishment?

18 A. Well, I would be lying if I said it was. But, as far as
19 I'm aware -- I'm not really too sure about this. But
20 I think that was just if you ran away.

21 It could have been used for that. I'm not sure --
22 I can't remember if I was ever (inaudible) for that, but
23 if you ran away you get locked in that room anyway,
24 because there was a lock on the door and things.

25 Q. At paragraph 45, you tell us that they used to lock you

1 in a room with a big window and told you you could come
2 out when you admitted you had wet the bed?

3 A. Aye. I don't think I was in there for wetting the bed.
4 As I said, you need to remember it was a while ago, but
5 it doesn't really make sense to me.

6 I don't know if I misspoke there. I can't remember
7 being locked in there for wetting the bed, which --
8 I'm not saying I didn't see that, and it probably did
9 happen at some stage with some people, but I can't
10 remember it.

11 Q. You told us earlier, Max, that --

12 A. Oh, right, I see it here what you're speaking about.
13 See, I might have wet the bed when I was in it and they
14 told me I could get out when I stopped it, aye. But
15 they used to put you in the corner, staring at the wall.
16 That was the thing for bed wetting, and I wouldn't do
17 that.

18 Q. You've told us about the room that was used after you
19 would be caught and brought back from running away, and
20 you also mentioned earlier that you would get a belt
21 from SNR sometimes; was there anything other
22 than this locked room as a punishment for running away
23 when you got back?

24 A. You used to get the belt.

25 Q. Was this from SNR ?

1 A. Aye, from SNR [REDACTED]. He was the only one I ever
2 got the belt off in Balrossie.

3 Aye, as I said a minute ago, there would be casual
4 violence used against you near enough every day. But it
5 wasn't on me because I really wasn't around for all
6 that. So I would get probably a few more slaps than
7 most. But, no, it wasn't just me. There was a lot of
8 people like that, obviously. It's one of them places,
9 isn't it? But it used to happen quite a lot.

10 Aye, SNR [REDACTED] used to give you belt. But
11 I think that was just across the hands in Balrossie.
12 But that kind of changed when I went elsewhere. But, in
13 Balrossie, in relation to other places, it was sort of
14 tame compared to where I ended up, but there was
15 violence used in there as well.

16 Q. You think this was just across the hands at Balrossie
17 that you got the belt?

18 A. From what I can recall I'm thinking that. Correct me if
19 I'm wrong, but from what I can remember at Balrossie,
20 I'm sure it was just across the hands, but that changed
21 when I got elsewhere anyway.

22 Q. When you say a belt; are you able to describe what it
23 was that was being used?

24 A. Did you ever get belted at school? I don't know. We
25 used to get belted at school. It was like a school

1 belt. But --

2 LADY SMITH: Max, do you know the word "tawse"? Have you
3 heard of a tawse?

4 A. No.

5 LADY SMITH: A leather belt that's got fringes on the end of
6 it?

7 A. Like a strap?

8 LADY SMITH: Yes. That was it, was it?

9 A. Aye, that's it. But there was a three-fingered strap
10 and a two-fingered one. The two-fingered one was
11 thicker and more sort of serious and it was
12 a two-fingered one that they used, anyway, which was the
13 more serious of the two.

14 The three-fingered one doesn't really leave a mark,
15 but the two fingered one left a mark. As I say, it was
16 thicker leather, and it was a leather belt, anyway,
17 sorry. Used to have to hold your hands out and take it
18 like a man.

19 If you pulled your hands away, you got an extra one,
20 I can remember, anyway.

21 MS FORBES: You say that was six or 12 strokes that you'd
22 get of that belt?

23 A. Usually. Depending how many -- six was the punishment,
24 but if you pulled your hands away or it just caught you
25 a wee bit because you moved, you got it again. So it

1 went up to as high as 12 or maybe 10. 10 or 12.

2 Between six and 12, anyway, was the least I got in
3 Balrossie.

4 Q. You have told us about slaps and the belt, but was there
5 any other sort of physical violence that you got from
6 staff when you were in Balrossie?

7 A. Aye, I had been kicked. I had been punched.

8 Punching was a thing. You used to get punched in
9 the back of the head for talking, not eating your dinner
10 or you got a slap. Depended who it was. Some of them
11 didn't hit you at all. But there was ones that hit you
12 all the time, and the ones that didn't hit you seen it
13 happening anyway, so it's sort of complicit, as far as
14 I'm concerned. But they didn't try and stop it.

15 But there were certain ones, I can't remember their
16 names. But, I don't know, a bad name between all of us
17 and they were the ones. There was punchers, there were
18 kickers, some done both. But most of them all slapped.
19 There were others ones that kind of punched and kicked
20 you and that.

21 And for just stupid things. But that was -- it was
22 the norm, that was the thing.

23 Q. That happened to you. Did you see it happen to anyone
24 else?

25 A. I seen it happening to a lot of people. As I said, it

1 happened -- it wasn't hidden. It used to happen quite
2 often. Mostly when you were getting fed, mind you. But
3 it doesn't make it any better, does it?

4 Q. We have talked about the fact that you went there when
5 you were 11 and there were older boys, about 14 or 15;
6 was there any issue about the fact that there were these
7 different age ranges?

8 A. Well, there was a sexual aspect. Not that I seen a lot.
9 But, obviously, I seen things that I didn't know I was
10 seeing, because I didn't know anything about that. But
11 you could see the older ones taking a younger boy into
12 a room or something, and you would be like: I wonder
13 what's going on there?

14 Obviously, you know now. I know now, sorry, what
15 was happening. But it wasn't as if I could stop it.

16 It didn't actually happen to me as such. It
17 probably -- probably somebody tried it, but I was too
18 much a handful anyway for -- I wouldn't have stood for
19 it. I think with people like that, anyway, they would
20 have a type of person, a quieter kind of person, which I
21 certainly wasn't anyway.

22 From that respect, I'm glad I wasn't; do you know
23 what I mean? It did happen. It did happen. The
24 staff -- you didn't see a lot of staff in the
25 dormitories anyway. It was only like a night watchman.

1 There was one night watchman at night. There were dorms
2 down the stair and dorms up the stair. You knew he
3 would only do a couple of rounds and then go and do
4 whatever he done. I don't know what he done, because
5 you weren't allowed to go to his door.

6 He used to go into his room, but you never seen him
7 and that's when everything took place like that.

8 Q. Was it at night-time then that you were aware of older
9 boys taking away younger boys into a room?

10 A. Aye.

11 Q. Was this then taking them from the dorm into somewhere
12 else, into another private room?

13 A. Maybe taking them in their dorm. There were older boys'
14 dorms, aye. I was in a big dorm. It was all -- people
15 of an age between me. Maybe a year older than that, 11
16 and 12-year-olds. But there were other dorms that had
17 14, 15-year-olds.

18 There was a dorm at the end of the corridor. That
19 was 15-year-olds in there and that's where people used
20 to go. It was in that dorm. That's sort of creepy when
21 you think about it now. But, at the time, I sort of was
22 uneasy about going there and other people told me to
23 stay away from it, but that's -- obviously, I know what
24 happened now. But, at the time, as I say, it's just --
25 I didn't make a connection, if you know what I mean?

1 Even when I got told, I didn't make the connection
2 because, as I say, I'm only 11, and it's different for
3 kids now. Back then, you didn't have phones or
4 anything, so I didn't know anything about all that. So
5 I just thought: as long as I stay away, I'll be all
6 right.

7 But me now, if I knew it was happening, I would have
8 done something about it. Luckily, I didn't anyway.

9 Q. Your time at Balrossie didn't end up being the two
10 years; is that right? I think you then were told that
11 you were going to Balgowan?

12 A. No, I wasn't told. They never told me. I just got --
13 I had run away and was in that locked room, the one I
14 told you about, and then they came in with handcuffs,
15 put handcuffs on me. It's only the second time in my
16 life I had been handcuffed. Been handcuffed by the
17 police, but never like restrained by social workers.

18 So they came in -- as I said, it was pyjamas you
19 wore in that room, so you took your pyjamas off and put
20 my clothes on, and I was like that. My own clothes, my
21 civilian clothes for want of a better -- because it was
22 a uniform you wore in there. They brought my own
23 clothes in, and I asked why am I putting these on for?
24 They went, "You'll find out". Put the handcuffs on me.
25 Put me into the car, and then they drove me right to --

1 I remember this now. It was somewhere in between Dundee
2 and Glasgow. I used to remember the name now. I can't,
3 it must be old age.

4 They took me there anyway, and I get took out of
5 Balrossie -- and it was a car I'm sure, out in
6 a Balrossie car, out into the other car and I was like,
7 "Where am I going?" because nobody told me where I was
8 going. It was all quite hush-hush. I don't know why
9 they never told me. Maybe it was part of the
10 experience, I don't know.

11 I got put into that car anyway, but I remember they
12 spoke different, because I didn't know that anybody
13 spoke any different from me. But, obviously, people
14 have accents and that. But, as I said, I was only
15 a young boy at that time. You don't know nothing about
16 that, unless you see it on the telly.

17 They spoke different and I was like, "Where am I
18 going?" and told to shut up and that. Then they took me
19 to -- I found out later it was Balgowan. But see when I
20 got out the car, SNR [REDACTED] came to see me and I see
21 SNR [REDACTED] name there, and I can't remember this
22 guy. It couldn't have been him, and it was another one.
23 I thought his name was the same as the one in Balgowan,
24 like GHA [REDACTED], same as that member of staff I told
25 you about.

1 He said, "You won't get away with all the stuff you
2 got away with in Balrossie. We're here to break you".
3 They said they'll break me, and I was like that,
4 well ...

5 So I was determined not to be broken anyway, because
6 I'm sort of stubborn that way.

7 As soon as they said that, I'm thinking he's
8 challenging me, so I done nothing for them, absolutely
9 nothing. It was a whole different ball game, Balgowan
10 from Balrossie anyway. It was -- it was, like, a sort
11 of a junior military kind of place. That's the
12 impression I got. Maybe it was just me.

13 But they used to have help marching about with -- I
14 was saying to ██████████ and that, I don't know if they had
15 de-activated rifles, but sort of things like that,
16 marching things. They called them the cadets or
17 something. It was all sort of a marshal-type anyway,
18 but I was never like a cadet anyway, put it that way.

19 Q. You are taken from Balrossie, from this locked room, put
20 in handcuffs and there are two cars that you are in and
21 then you end up --

22 A. No, sorry, I'm in one car and transferred to another
23 car. They must have made a mutual meeting and I get
24 took from that car into the other car and took to
25 Balgowan, which was in Dundee.

1 Q. Did you know what Dundee was at that time? Had you
2 heard of Dundee?

3 A. I hadn't really heard of Dundee, no, ever. I'd heard of
4 Arbroath smokies. I didn't even know that was the name
5 of the place. I thought it was just the name of the
6 fish. I thought -- I didn't know it was a process you
7 go through in Arbroath, but I didn't even know -- I
8 couldn't have pointed to it on a map. Certainly
9 couldn't have done that at the time. I soon found out
10 where it was, though.

11 Q. Max, we have seen a record that says that you were
12 admitted to Balgowan on 11 May 1976, so that's the year
13 after you were in Balrossie. You would still have been
14 age 12 years old at that time; does that sound right?

15 A. Yes. That sounds spot on, aye.

16 Q. Altogether you were in Balrossie for just under
17 ten months?

18 A. I thought it was longer, but I suppose everything feels
19 longer when you're that age and going through all that,
20 but, aye.

21 Q. You mentioned this SNR [REDACTED] that you thought had
22 a similar name, Mr GHA [REDACTED], but this chat he had with
23 you; is that after you arrived at Balgowan?

24 A. Once I arrived and I got out the car -- it was sort of
25 like a castle, so was Balgowan. Maybe I just like

1 places that look like castles, I don't know. Or they're
2 all built to a certain design to intimidate you. But it
3 did sort of -- especially the one in Dundee, that
4 looked -- there was, like, a sort of big entrance at the
5 front. A private school kind of place, I suppose. An
6 older private school, not modern.

7 You went in the front door, and I'm not sure if it
8 was big double doors. But they were big doors because I
9 was like that. They had big doors, man. To myself
10 obviously. And I walked in there and that's where I met
11 him.

12 But I'm sure his name was GHA or
13 something. I used to remember -- he used to drive a
14 Chrysler Sunbeam. That was a motor back then. That was
15 quite a top end motor back in the day. Turns out they
16 weren't that great, but I thought he they were great
17 because I hadn't seen a lot of motors. But, aye, that's
18 what he said to me.

19 Q. You are describing these big, grand buildings.

20 Balrossie was, in your view, a big, grand building and,
21 again, Balgowan was similar?

22 A. Yeah.

23 Q. I think you say, at paragraph 52, Balgowan was a dark
24 place for you?

25 A. It was really dark. I can still remember it today.

1 I can still remember the tiles on the wall in that
2 place, because I hated everything about there. Just the
3 way I was treated. And not just me. I'm not saying it
4 was all me. The way people got treated. Used to make
5 me fight people in the toilet and all that. The staff
6 arranged fights with -- they used to call me a Glasgow
7 hard man and all that. I was only 11 years of age. I
8 wasn't a hard man or anything, but that's what they used
9 to call me. Or 12-year-old or whatever.

10 I can remember I punched a guy and gave him a black
11 eye, and all of a sudden I had boxing training. I don't
12 know where they got that from. It was crazy. It was
13 a crazy place, Balgowan.

14 Q. I'll ask you about some fights you have mentioned in
15 a while. But, going back to the first meeting of SNR
16 SNR, you tell us, at paragraph 54, that when you
17 arrived at Balgowan you had these handcuffs on you; is
18 that right?

19 A. Yes.

20 Q. Then as soon as they took the handcuffs off you tried to
21 run away out the front door and you were caught?

22 A. Aye, aye. It was a matter of course that I would run
23 away as soon as I could get a chance. That was just
24 what I done.

25 Q. As a result of that --

1 A. I certainly wasn't staying in that place. It was miles
2 away from where -- I just didn't like it anyway.
3 Especially after they said that, I wasn't staying there.
4 First lesson in how to break you, I suppose.

5 Q. You tell us that you were disciplined for that, at
6 paragraph 55. You received the belt on that occasion;
7 is that right?

8 A. Aye. What they done was, there was a boardroom in it,
9 with a big long table. It looked really long, but I
10 suppose that's because I was younger.

11 But I was in a boardroom and they used hold you over
12 the table and give you a belt across your buttocks. But
13 it was your bare buttocks. They used to take your
14 trousers down and your underwear down and that's how you
15 got belted. Because I was like that -- this is sort of
16 a -- creepy, to myself. Obviously not to them or
17 I would probably have got more of the belt than I did
18 get.

19 But they used to hold you -- the staff used to hold
20 your arms, and sometimes they would put a leg round your
21 leg, to stop you kicking.

22 Generally, it was just holding your arms down. And
23 he used to administer the belt, but it was really bad.
24 I used to be bleeding after that, sometimes. They had
25 to hold my arms anyway because every time you ran away

1 and you'd get caught, you would go back and it would
2 happen again. So it made you more determined you
3 weren't going back, really. But he thought it would
4 stop you doing it at all, obviously, but it didn't.

5 Q. You have mentioned your arms being held; was this by
6 different members of staff?

7 A. Yeah. Different staff members.

8 Q. So they're holding you down and then SNR
9 using the belt?

10 A. Yeah, aye. If they weren't holding you down, I wouldn't
11 have done that. I wouldn't have let them do that. I
12 felt like if I could have stopped them, I would have
13 done.

14 Q. On the first occasion, you tell us that they were saying
15 things to you when that punishment was being dished out.
16 You tell us that they were telling you that you were not
17 in Balrossie anymore and you were in the big league now?

18 A. Yeah. Things like that. You'll not get away with what
19 you got away with before. As far as I'm concerned, I
20 didn't get away with much, but I thought to myself, this
21 is a whole different kind of ball game now. This is
22 where you must go when you break the rules, you come
23 here. And that's what they were saying: you're in the
24 big league now. We'll break you. We'll make sure you
25 don't run away again and things like that.

1 First chance I got, I ran away just to prove them
2 wrong. That's why I done it.

3 Q. Who was saying that? Was that SNR or other
4 members of staff?

5 A. They were all saying that. Aye, they were all saying
6 it. The ones that were present were all saying it.

7 Q. Like you said, running away at Balgowan was something
8 you did on numerous occasions; is that right?

9 A. A lot of times, aye. Because I couldn't get any visits
10 or anything there anyway. Probably wouldn't have
11 stopped me, to be honest with you, because I liked
12 running away, by this time. Because there were no rules
13 and -- nothing. So you just done your own thing.
14 Obviously, I wouldn't like my own son to be running away
15 and doing what I done, but that's just -- it is what it
16 is.

17 Q. When you got back after you were caught when you ran
18 away, you mentioned that there was the punishment of the
19 belt; is that right?

20 A. Yeah. Every time you ran away, you got the belt when
21 you got caught. Every time. There wasn't any time I
22 didn't get the belt in there.

23 Q. Was there anything else apart from that that would
24 happen to you?

25 A. Balgowan was sort of a -- you didn't get out. From what

1 I can remember, in the summer you get out. There were
2 grounds out the front, but you didn't get out there when
3 I was there. Maybe once or twice you got out into the
4 front of the building. There was a football pitch.
5 I think there was a rugby pitch actually. I don't think
6 they played football.

7 But I didn't even know what rugby was. But
8 that's -- I remember seeing those goals, a bit big, and
9 they were rugby goals.

10 You go into a courtyard and there was -- the members
11 of staff used to stand at the big end of the courtyard,
12 so you wouldn't run away or escape, or whatever.

13 When you ran away and got caught, they used to put
14 you in a room. There was a telly in the room, but it
15 had a box round it. It wasn't as if they locked you in
16 there and you could sit and watch the telly all day. It
17 was a TV room for everybody, but when it wasn't being
18 used the thing was locked.

19 You used to get put in there after you got caught.
20 I think it was after you get the belt, because I
21 remember I couldn't sit down anyway. It was really,
22 really hard, so I couldn't sit down. If anything, we
23 use to lie down on the floor, face down. But that's
24 what we used to do. But you got put in there.

25 I can't remember for any great length of time being

1 in there because it was a sort of secure anyway, so it
2 didn't really matter if you could wander about in the
3 building.

4 So I ended up -- I was in a dorm -- unscrewed --
5 there was only a wee window at the top, to let air in,
6 and it had a catch on it. You unscrewed the catch and
7 you could get out that window. But it was, like, far
8 up, so you had to make sure you dropped -- you landed
9 in, like, the flowerbeds rather than the grass because
10 it would break your fall.

11 We used to do that. That's what we used to do.

12 Q. This is when you were running away?

13 A. Aye.

14 Q. So you would be belted, you have told us, by SNR
15 SNR ; was it only ever SNR that would
16 do that?

17 A. Always SNR that done it. Always.

18 Q. I think, at paragraph 73, you tell us that you were
19 belted by SNR at least ten times and there
20 would be a number -- a different number of strokes each
21 time, at least six to eight, depending on how long you'd
22 been away for?

23 A. Yeah, aye. That was -- it was like a sliding scale,
24 from what I can remember of it happening. If you ran
25 away once, it was maybe two or three. Because they were

1 pretty serious. It left a lot of marks.

2 If you ran away again, it's up to three. I think if
3 it continued on and they'd be there for a while with me.
4 But there was a sliding scale, right up to -- I don't
5 even know how many it ended up for me, but it was a lot.
6 It was quite a lot, anyway. Because I remember I was
7 bleeding, as I said. It was pretty serious. It was
8 a serious punishment.

9 Q. Each time, was it on your bare backside?

10 A. Yeah. Every time. Every single time it was that.

11 I remember one time I ran away and got caught, and
12 it hadn't healed up from the time before, so I think
13 they left my underwear on at that time. Which was good
14 of them!

15 That was probably only the one time that happened.
16 And that was probably so it wouldn't break the skin as
17 bad because my skin was broken anyway from the first
18 time. So that's what happened.

19 Q. You say that you remember the maximum number of strokes
20 being 12. You tell us that at paragraph 73; is that
21 right?

22 A. Roundabout that anyway, aye.

23 Q. Did you ever get the maximum?

24 A. I've had the maximum a couple of times, aye.

25 Q. You comment that the belting after running away never

1 made you change, apart from making you more determined?

2 A. It did. Because the way I was thinking -- and this

3 might sound a crazy way of thinking, but this is the way

4 I thought -- that if I let the belt stop me from

5 doing -- from running away, then it worked, and I didn't

6 really want to let it work. So, even if I didn't want

7 to run away, I would run away anyway because I would get

8 belted for running away, if that makes any sense? That

9 was my thinking anyway, at the time.

10 Q. You mentioned earlier this issue about being made to

11 fight people. I think you tell us about that at

12 paragraph 76. This was other boys that were in

13 Balgowan?

14 A. Yeah. Aye, other people in there. That was the staff

15 that arranged them fights. I don't know if they were

16 betting on us or whatever.

17 Q. You say this took place in the toilets?

18 A. In the toilet. All white tiled. As I say, I can

19 remember it. You had your toilet stalls here and you

20 had your sinks along one wall, and you had your

21 bathrooms on the other side of the -- toilets on one

22 side and the sinks on the other side.

23 LADY SMITH: Max, why were these fights in the toilets?

24 A. So they could maybe wipe the blood off the boys.

25 I'm not really sure why it was there, but that's

1 where it was. It was in the toilet. It had drains in
2 the floor. Not that it got really bloody, anyway.
3 Certainly not from me. It was in the toilet anyway.
4 LADY SMITH: Okay.
5 A. It was a big toilet. Maybe it was to keep -- I don't
6 know if SNR knew about it or not. But that's
7 where they used to take place -- was in the toilet,
8 because it was all tiled. Maybe easier to clean if you
9 had -- if there was bleeding after it or something.
10 LADY SMITH: You said you don't know whether they were
11 betting on it; that's the staff?
12 A. Yeah.
13 LADY SMITH: What made you say that? What made you wonder
14 that?
15 A. Because why would they have us fighting anyway? They
16 used to watch it and it was them that arranged it, so
17 I'm just wondering if they had a bet.
18 As I said, I don't know if they were betting on it
19 or not. I'm not saying they were betting on it. This
20 is just a thought, but I never seen anything like that,
21 any money changing hands or anything.
22 LADY SMITH: Thank you. Thanks, Max.
23 A. Right.
24 MS FORBES: These weren't boys that you'd had a problem with
25 that you were being asked to fight; these were just

1 people chosen randomly by the staff?

2 A. Aye.

3 Q. Did you get the impression at all at any time that they
4 were cheering anyone on in particular?

5 A. They had their favourites. I certainly wasn't
6 a favourite anyway. But they had -- I don't know. They
7 would encourage you to carry on or whatever. There was
8 shouting, but there was shouting for the guys, and all
9 the guys used to -- some of them, anyway, would stand at
10 the urinals and give you encouragement.

11 I was never up for all that, but I used to get put
12 in quite a lot. Maybe it's because of where I was from.
13 They had this idea, because it was from another city,
14 place, or from Glasgow or whatever, that I would be able
15 to be this great fighter, which I certainly wasn't
16 anyway. But I don't know if that was the thinking
17 behind it.

18 I used to get called that a couple of times. And as
19 I said, I gave a guy a black eye and suddenly I was
20 a boxer, but I wasn't. It was just like a lucky punch.
21 Unlucky from his point.

22 I don't know the reasoning behind that. I never
23 thought anybody was a boxer. I'm not a boxer anyway,
24 but who knows?

25 Q. In the toilets when these fights went on, there would be

1 whoever was taking part in the fight, some staff
2 members -- although you've said that the headmaster; you
3 didn't see the headmaster there?

4 A. No, no. I don't know if he knew they were going on, but
5 he wasn't there anyway.

6 Q. There would be other boys as well watching?

7 A. Yeah.

8 Q. And cheering you on?

9 A. Aye. Or the other person.

10 Q. You were there when you were 12; how old were the other
11 boys that you would have to fight?

12 A. Well, at first it was like the same age as me, but then
13 they gradually got older. I don't know if it was a
14 ratings thing or not. How many fights you win, you
15 fight somebody a year above you, or whatever. But it
16 ended up I was to fight another boy anyway. He was a
17 lot bigger than me anyway, but I ended up just battering
18 him in his bed when he was sleeping, to be honest with
19 you, because I didn't fancy fighting him the next day,
20 and eventually that's what I done.

21 Q. You say later on that you were told that there was
22 a boy -- this is at paragraph 79, there was a boy called
23 ██████████ that you were going to have to fight?

24 A. Aye.

25 Q. You decided to use a pillow and a weight when he was in

1 his bed, to hit him?

2 A. I did, aye.

3 Q. You think you broke his shoulder as a result of that?

4 A. Certainly bruised it anyway. He couldn't use it for
5 a while. I don't know if it was broken or bruised or
6 whatever. It's the kind of thing you had to do, because
7 this guy was a head and shoulder bigger than me and
8 there was no way I was fighting him, anyway. So I had
9 to make sure he -- that he couldn't fight.

10 That's what I done. And even at the time I done it,
11 I was sort of ashamed to have to do it, but you had to
12 do what you had to do. I wasn't fighting him anyway.

13 After that the fighting stopped for me. I don't
14 know if it carried on for others, but it certainly
15 stopped for me because nobody would fight me in case I
16 done that to them.

17 I should have done that from the start, as far as
18 I was aware. But that's what happened.

19 Q. The way that you saw it, you took it upon yourself, the
20 night before this fight, to sneak up on him when he was
21 sleeping and assault him, so he was out of action for
22 next day?

23 A. I did, aye, aye. That was the whole -- I had no
24 animosity towards the guy or anything, but that's who
25 I was told I was fighting. So to pre-empt it that's

1 what I done anyway, sort of a pre-emptive strike.

2 That's what I done.

3 Q. How often did these fights between -- these arranged
4 fights between boys take place?

5 A. I was only involved in about -- three or four of them,
6 I was involved in. It wasn't like an annual thing or
7 anything. It was just -- I really couldn't tell you the
8 thinking behind it. But I was only involved in about
9 three or four of them and, as far as I know, that was
10 probably the only one.

11 As I say, I was the only person from where I was
12 from in there. Most of the guys that were in there were
13 from Dundee. The majority of people in there were from
14 Dundee.

15 ██████████, he was from Alloa. And it was all boys
16 from up that area that was in there. It was Dundee,
17 sort of a Balrossie, if you want. That was their
18 version of that. But only a worst version. Maybe
19 they're hardier in Dundee, I don't know. But I
20 certainly wasn't up for it and I didn't like it.

21 Q. You describe it as a gladiator kind of thing and that
22 there was no boxing gloves or anything. It was a bare
23 knuckle fight?

24 A. Aye. No boxing gloves. No Queensberry Rules stuff or
25 anything.

1 Q. How would it come to an end? Who would decide who had
2 won?

3 A. When you didn't want to fight anymore or the other guy
4 didn't want to fight. That was it. You maybe got
5 another couple of punches.

6 But I didn't want to fight from the start, but
7 obviously I'm going to defend myself if somebody is
8 doing that to me. But, after a while, I just used to
9 get a couple of punches and then stop, thinking he'll
10 stop and all. But if it carried on, I would carry on.
11 So I suppose it was an incremental thing, where if he
12 punched me I'd punch him back, and he'd punch me back.
13 So probably until you were too tired to fight more than
14 anything else.

15 Q. Were you ever told what would happen if you didn't take
16 part in these fights?

17 A. No, no. Not that I can recall. I dare say there was
18 something, but I can't remember anything. But that was
19 the kind of thing. You would get put down there to
20 fight -- I'm sure -- what would happen -- as I say,
21 I'm not 100 per cent here. But you get put in there
22 anyway, and if you didn't fight, you would just get beat
23 up, so ...

24 My mindset was: I'm not going to stand there and get
25 hurt. I'm going to defend myself as best I can.

1 So you would get put in there anyway, and then you
2 would react accordingly.

3 Q. Did you have any injuries after these fights?

4 A. My nose was bleeding a few times. I had a couple of
5 black eyes. Aye, I had physical injuries. Nothing
6 major.

7 Q. Did you get checked over by anyone?

8 A. No, no. There were no nurses or anything.

9 Q. You've told us about this incident where you were --
10 they said you were going to have to fight this
11 particular boy and that you decided to take matters into
12 your own hand?

13 A. I did.

14 Q. You say, at paragraph 79, that after that you were
15 called into SNR [REDACTED]'s office the next day.
16 That's at paragraph 79. You were asked what you had
17 done, and then you were told that you were being moved
18 out of Balgowan?

19 A. I did get moved out of Balgowan after that. I don't
20 know if it was because of the assault on [REDACTED] or not,
21 but I get moved out after that to Cardross, which was
22 Dumbartonshire somewhere, which was good for me because
23 that was closer to where I'm from, so I was happy with
24 that.

25 Q. You have mentioned that after receiving the belt on

1 these occasions that you told us about, there were marks
2 on you. I think you say that on one occasion you told
3 your mum about that and showed her the marks?

4 A. I showed my mum, aye. I showed my ma. She was like
5 that, "I'm going to have to phone the police for you".
6 I was like, "I'm getting belted across my backside", and
7 she was like, "That doesn't happen a lot", so I showed
8 her. And she was pretty upset with it, but she still
9 phoned the police.

10 Q. The police came out and had a look?

11 A. Aye. The police came out and said I could have done it
12 myself. How I could have done that, I don't know. But,
13 obviously, they'll not have wanted anything to do with
14 it. I'm a criminal in their eyes, so I'm a liar as well
15 as a criminal, which is probably why these people get
16 away with all this crap.

17 Sorry. But that's probably why they get away with
18 all this, because who are they going to believe, people
19 in authority or the people that it's happening to?

20 Q. The police view was that despite seeing the marks on
21 your backside, that could have been self-inflicted?

22 A. Self-inflicted, aye. That's what they said. I don't
23 know how I would be able to do that, but self-inflicted
24 is what they said it could have been.

25 MS FORBES: My Lady, I don't know if that's a good time?

1 LADY SMITH: If we're moving on to the next place?

2 MS FORBES: There was something I was going to take Max to
3 in relation to Balgowan, but it's a separate document.

4 LADY SMITH: Let's leave that until after the break. Max,
5 you'll remember I said when we started at 10.00 am that
6 I usually take a break around 11.30. We have come to
7 that point now. So that's what I'll do just now. You
8 can get a breather and we'll start again in about
9 15 minutes.

10 A. No problem. Okay. Thanks.

11 LADY SMITH: Thank you.

12 (11.30 am)

13 (A short break)

14 (11.45 am)

15 LADY SMITH: Max, I hope you've had a good break and are
16 ready to carry on?

17 A. Yes.

18 MS FORBES: Thanks, my Lady.

19 Max, just before we leave Balgowan, I'm just going
20 to refer you to a couple of documents. First of all,
21 the document I want you to have a look at is the
22 GLA-000003255.

23 A. I've got it here.

24 Q. There should be page numbers on the bottom right. If
25 you can go to the last page, which is page 72.

1 A. Yes.

2 Q. Do you have that in front of you, Max?

3 A. Yes.

4 Q. This is a letter that is within a social work file
5 relating to you, held by your social worker back then
6 about your supervision order, keeping all the documents
7 together. This document is a letter.

8 You can't see the date on it because it's blocked
9 out, but it's 28 July 1976. At the bottom, it's signed
10 "Yours faithfully" by a Matthew B Dale, who is the
11 principal and he is the principal at that time of
12 Balgowan.

13 The topic of the letter, which again is blacked out,
14 has your name on it and your date of birth. I'm just
15 wanting to go through this letter, just briefly with
16 you.

17 This is a letter he's sending to the Director of
18 Social Work, and he is saying:

19 "Dear sir, this boy, with two others, stole a car in
20 Dundee yesterday and travelled to Aberdeen where he was
21 apprehended by the police about midnight. As there was
22 no possibility of a social worker collecting this boy I
23 arranged transport and escort back to the school and
24 shall bill you accordingly.

25 "However, the behaviour of this boy is such that I

1 must ask you to approach the reporter to have a hearing
2 for him soon. Balgowan can no longer contain this boy.
3 He absconds regularly and now is stealing cars every
4 time he is loose. It seems that some form of secure
5 accommodation is necessary for him.

6 "For the sake of the school I must, under
7 section 44.6, ask you to find another placement for [and
8 it's got your surname] Lafferty, the managers are not
9 prepared to keep this boy in school after the end of
10 August."

11 So this is July 1976 and it's the headmaster of
12 Balgowan writing to the social worker saying that he's
13 wanting you moved, basically, to, if possible, a secure
14 accommodation?

15 A. Yeah.

16 Q. If you go to the page before that, page 71, this letter
17 is dated after -- I know you can't see it, but it's
18 dated 2 August 1976. Again, it's a letter from Mr Dale,
19 the principal of Balgowan, and it's to the Director of
20 Social Work and the topic is you:

21 "This boy again absconded yesterday with two other
22 lads. After travelling by train from Montrose to
23 Edinburgh, they stole a Ford Transit van and drove to
24 Glasgow where they were apprehended."

25 Then he talks about having written previously, but

1 got no reply. Then he goes on:

2 "This boy is a persistent absconder and requires
3 secure accommodation. Further, when he does abscond,
4 he's now not involved in car stealing."

5 Again, he refers to the section of the young
6 Children's Act and asks for you to be removed from the
7 school, and says:

8 "I am prepared to hold him (hopefully) no longer
9 than until the end of August."

10 This is the headmaster writing to the Director of
11 Social Work because you must still have been at Balgowan
12 at this point and you've not been moved.

13 A. Yeah.

14 Q. If we can now go page 56 of that document, so it will be
15 on the bottom right-hand corner of your papers.

16 It goes into two pages, but it's a typed document
17 and it seems to be you as the subject, in the top left,
18 although it's redacted. It's your date of birth and it
19 says underneath "Admitted 11 May 1976."

20 That is when you were admitted into Balgowan.
21 I'm just going to briefly go over some points in this
22 document. It's redacted, but it says:

23 "Mark was transferred to Balgowan in the hope of
24 promoting stability in the boy as his delinquent
25 behaviour was causing great concern. Initially he

1 settled down well and after an initial settling in
2 period was allowed a weekend at home, 4 to 6 June 1976,
3 and returned in good time."

4 Then it states -- again, you can't see some of the
5 dates that have been redacted, but I'll read them out to
6 you. 13 June 1976, absconded, in the company of another
7 pupil from the playing field. Police notified and both
8 were returned soon after.

9 Then underneath that we have another date, I think
10 it's in August. Although the typing isn't very good.
11 1976, absconded from playing field, but apprehended.

12 Then, again in August 1976, underneath that, allowed
13 home with his grandfather after school sports. Weekend
14 at home, and attend children's hearing. During weekend
15 at home he stole a bicycle and a drunk man's wallet. He
16 was arrested and taken to Larchgrove Assessment Centre
17 from where he absconded and social work and police were
18 notified."

19 Then we have, underneath that, 7 July 1976:

20 "Returned to school camp at Arbroath."

21 Then, 10 July 1976, absconded from camp in company
22 of another boy. 11 July 1976, apprehended in Kirkcaldy
23 and returned 19 July 1976, charges pending.

24 19 July 1976, absconded from school in the company
25 of another pupil. So that's the same day as you were

1 returned from being away in Kirkcaldy. Stole said car
2 and returned by police. Then another date in July,
3 absconded in the company of two other boys, stole three
4 cars, reached Perth, broke into a house and were
5 apprehended and held by police, until uplifted and
6 returned to school by staff members.

7 Then we have another date in July -- I think that's
8 28 July on my copy, but obviously you can't see that --
9 1976:

10 "Absconded in the company of two others. Stole
11 a car and extensively damaged other parked cars on their
12 way to Aberdeen, where they were apprehended and
13 detained by police. They were later returned by
14 headmaster."

15 Then we have another date underneath, August 1976:

16 "Absconded in the company of two others from a
17 swimming party at Montrose baths and stole a car."

18 August 1976, apprehended in Glasgow and returned to
19 school. Another date in August 1976, absconded, 5.30 am
20 from dormitory via fire escape. Again, August 1976,
21 absconded from school at 4.25 pm, returned by police.

22 August 1976:

23 "Absconded in company of other boy from dorm via a
24 fire escape, 11.45 pm."

25 Then it says, 10 August 1976:

1 "Both arrested in Edinburgh, where they were charged
2 with stealing [go over to the next page, 57] a new car
3 from a Dundee dealer before making their way to Glasgow
4 and then Edinburgh."

5 That is recording there that there was a theft of
6 a new car, allegedly, from a Dundee dealer, and then
7 they were driven to Glasgow and then Edinburgh.

8 Another date in August 1976, absconded out into
9 Arbroath. Then it states underneath, you were arrested
10 by police and charged with a number of offences.

11 Underneath that again, 19 August, it says on my copy
12 1976:

13 "Absconded in the company of another pupil and stole
14 new car from local Dundee dealer. As they were heading
15 towards Perth they were spotted by a police control car,
16 which gave chase and was forced to use car's buffer to
17 bring run aways to a halt. Both cars were extensively
18 damaged."

19 Then it has underneath a date -- which on my copy I
20 can see 23 August 1976, transferred to
21 Cardross Park Assessment Centre.

22 Just in those two pages, it seems to be a history of
23 your running way from Balgowan and what you are alleged
24 to have got up to whilst you were away, sometimes in the
25 company of others.

1 I mentioned there 10 August 1976 as one where you
2 were alleged to have taken a new car from a Dundee
3 dealer before going to Glasgow and then Edinburgh.

4 If I could just go to another document just now,
5 it's -- it should be in front of you also --
6 DUN-000001861. That is a six-page document and it's
7 handwritten, so it might not be easy to see. But if you
8 could go to page 3 of that document, it shows you
9 a photograph, really, of two pages in a book.

10 This is a record from Balgowan of absconders and the
11 details of who was absconding and what happened.

12 LADY SMITH: Just a moment, Ms Forbes. Are we able to get
13 this up?

14 (Pause)

15 What sort of document is this, Ms Forbes?

16 MS FORBES: It's an absconders book from Balgowan, and
17 I think they've taken a photograph of the pages and it
18 might be that that's the difficulty in bringing it up.

19 LADY SMITH: Hopefully it's coming up now, Max. Here we go.

20 MS FORBES: There are two pages, one on left and one on the
21 right --

22 LADY SMITH: Just give me one moment. Max, are you able to
23 read it at that size or do you want us to enlarge it
24 a bit more?

25 A. I can't see it at all on your screen. I've got

1 a photograph of it here, but I can't read anything on
2 it.

3 MS FORBES: My Lady, my understanding is the video facility
4 doesn't allow him to see on the screen, but he has
5 a hard copy.

6 LADY SMITH: We'll take it slowly, so that we can try to
7 help you read it.

8 If, for my benefit, we could have it a little bit
9 larger that would be helpful. Thank you. That is
10 great.

11 MS FORBES: I just want to draw your attention to the
12 right-hand side of that document at the top or the
13 photograph, if you like, where there is a record in the
14 margin and it says 9 August 1976 and, underneath,
15 10 August 1976. That is the first sort of entry on the
16 right-hand side at the top; can you see that, Max?

17 A. Yeah.

18 Q. The names are redacted out above the paragraph, but it's
19 your name, Mark Lafferty, and the name of another boy,
20 [REDACTED] and --

21 A. That was my friend.

22 Q. Is he somebody that you would often abscond with?

23 A. Basically, every time I was with him.

24 Q. Was he a similar age to you or was he older?

25 A. I think he was ages with me. The same age.

1 Q. At this time, you are still 12 years old because it's
2 August 1976. You had not yet turned 13. I'll just read
3 this for you, and hopefully I'll read it correctly:

4 "Absconded via dorm window at 11.45 pm. Police
5 notified. Phone call from Dundee police at 2.00 pm.
6 Both boys arrested outside [REDACTED] home in Edinburgh.
7 They had stolen a new car from ... a garage and claim
8 that they travelled to Glasgow, then to Edinburgh. The
9 car was damaged. They were collected from Edinburgh by
10 the Dundee police, who are holding them in custody
11 pending a possible appearance at the Sheriff Court. The
12 boys also claim to have knocked down a motorcyclist."

13 Then it says returned by police at 3.30 pm.

14 In this book, there's a little bit more information
15 about some of the times you ran away and what
16 information was given to Balgowan when you got back.
17 However, on this occasion, on 10 August, it appears that
18 this is a car that you are alleged to have stolen
19 together and then driven from Dundee to Glasgow and
20 Edinburgh. During the course of that, there was
21 a motorcyclist that was knocked down?

22 A. I don't anything about that. There was a lot of times
23 where we got the blame of stealing cars we didn't steal
24 because they were unsolved. So they used to put them on
25 to us. I'm not saying we didn't steal the car we were

1 caught in, obviously we did.

2 As for the motorcyclist, as far as I can remember,
3 we never had any accidents concerning any other person.
4 Maybe another car, but not another person.

5 Q. You don't remember that particular incident whereby you
6 are telling Balgowan when you got back that you had
7 knocked down a motorcyclist or anything?

8 A. No, no. I certainly stole the car, an Opal. I can even
9 remember it, it was an open showroom on the Kingsway, it
10 was called, and that was the car. The motorcyclist, no.

11 Q. If I can just go back to the document I referred you to
12 before, which is the one GLA-000003255.

13 If I could take you to page 4, at the bottom
14 right-hand corner, it should have the number; do you
15 have that?

16 A. Yeah.

17 Q. I'm just directing your attention to the bottom of the
18 page, the last entry there. The date in the left-hand
19 column is blacked out. This is a record kept by the
20 social worker that you had at the time of information,
21 that he would be getting provided by the school and
22 various other people. On left-hand side, it says
23 20 August 1976. I know you can't see the first bit, but
24 you can see 76, and it says:

25 "Phone call from Mr Dale, Balgowan school. He

1 states that Mark has been involved in numerous car
2 thefts and as a result of one was hospitalised for
3 several days recently. However, last night he again
4 stole a car and the headmaster, Mr Dale, says he wants
5 the boy removed today."

6 It goes over to the next page, on to page 5.

7 Do you remember an occasion when you stole a car and
8 you ended up injured?

9 A. No, I was never injured. Only time I was in the
10 hospital in Balgowan was for an operation on my -- I got
11 shot by an air rifle when I was seven or eight, and it
12 still had the pellet there. I went to Ninewells
13 Hospital and I got it took out. That was the only time
14 I was ever in hospital.

15 Maybe he's trying to make the situation sound worse
16 than it is to get rid of me here. But I certainly can't
17 remember any other time I was in a hospital.

18 I can remember being in there for an operation on my
19 left cheek, but nothing else.

20 Q. So you don't know -- there is no explanation as to why
21 this is in your social work records?

22 A. No.

23 LADY SMITH: What sort of operation did you have on your
24 cheek, Max?

25 A. I got an incision in my left cheek. It was an air rifle

1 pellet that was lodged in my cheek and they took it out.

2 But that was previous to being in any of these places.

3 LADY SMITH: Thank you.

4 MS FORBES: It's difficult to read on this page, because
5 it's in handwriting on page 5, but I think it states
6 that there was some question about whether you could go
7 to Larchgrove as a result of Balgowan not wanting to
8 keep you anymore. But the view seemed to be that
9 Larchgrove should only be used for assessment purposes.
10 And I think there is a part on that page, page 5, where
11 it says that Larchgrove weren't prepared to take you at
12 that point.

13 Then, if we go near the bottom of the page, this is
14 still on -- the entry is still on 20 August 1976, it
15 states -- in the left column, it says "later", and it's
16 the last paragraph on that page. It says:

17 "Mr Auld phoned. Mark to go to Cardross meantime.
18 Balgowan will escort the boy to Albion street."

19 The decision was taken for you to go to
20 Cardross Park.

21 But, from the records that we've been through, it
22 appears that the headmaster at Balgowan, Mr Dale, was of
23 the view that because of the amount of times that you
24 had absconded, and what was happening when you were
25 running away, that he thought you should be put in

1 a secure unit?

2 A. Yeah.

3 Q. Were you ever told that at the time?

4 A. Decisions like that were never spoken to by us. That
5 was decisions -- I mean, you just got moved and that was
6 that. Nobody sat you down and said: if you don't stop
7 doing this you'll go here or whatever. People didn't --
8 basically, we just got told at the time what was
9 happening. We didn't get consulted before it or
10 anything.

11 I can actually remember this. I went in. They came
12 and got me. I was locked in that telly room. They came
13 in and got us, cuffed us up and moved us to Cardross.
14 That is how -- that was the first time I knew I was
15 getting moved, which -- I was delighted to be getting
16 moved anyway because it was too far away for me.

17 Q. The part that is redacted in the paragraph, it says, on
18 23 August 1976, that you were to be taken to Cardross.

19 If we go over the page, to page 6, at the top of
20 that page, again in the left-hand column, there is
21 a date and the date is 23 August 1976. It says there is
22 a phone call from an individual at Albion Street, and
23 I think that's where you were to be taken first, before
24 going to Cardross Park?

25 A. That's where the Children's Panel was I think, and

1 that's why they met there.

2 Q. It says:

3 "Mark has absconded! Notify the police."

4 So, on the day you are to be taken from Balgowan via
5 the Children's Panel to Cardross Park, you had run away?

6 A. Mm hmm.

7 Q. You tell us in your statement -- if we go back to your
8 statement, which is the WIT-1-000000940, it's going down
9 now to paragraph 80, that's where you start telling us
10 about going to Cardross.

11 As we've just seen, the date for that seems to be
12 23 August 1976, albeit you ran away. But I think within
13 a week or so you were picked up and taken to Cardross.
14 That was for the purposes of assessment.

15 A. I wasn't told that. I was just told that's where I was
16 going. I didn't get told I was being assessed for
17 anything, but ...

18 Q. You say that you weren't there for very long. I think
19 from the records we have seen -- and I appreciate you've
20 not seen them -- it was really only a few weeks that you
21 were there.

22 But what you say is that Cardross was all right and
23 it was good in comparison to Balgowan?

24 A. Yeah. I think anywhere would have been all right in
25 comparison to Balgowan, mind you. Aye, it was fine.

1 Q. I think you say that the attitude of staff seemed to be
2 they would open the door up and say: if you want to run
3 away, you can do it?

4 A. So they did, yeah. And I did.

5 Q. I think, again, we have seen records where they talk
6 about you being a bit difficult to control at Cardross
7 and keep hold of. So there was some talk behind the
8 scenes, I think, about finding you a secure place again,
9 because of the amount of absconding that you were doing.

10 I think you say there wasn't the same situation in
11 Cardross Park that you found at Balgowan, but you do
12 talk about some discipline at paragraph 84 of your
13 statement. This is you talking about a room that
14 sometimes you would be put into?

15 A. Yeah. They didn't have a room like Balgowan did or even
16 Balrossie. Their room was like a cloakroom. It had
17 a door at one end and a door at the other end and they
18 shut the two doors and that sort of contained you.

19 I don't think they had many discipline problems to be
20 honest with you, because the doors weren't that strong.

21 That's where they put you. They locked you in that
22 room, the cloakroom.

23 Q. You had a name for it, Max, that you tell us?

24 A. The dark room. Aye, because they turned the light off.
25 The light was on the outside, so they turned that off.

1 I don't know if it was to calm you down. They had one
2 of them in Larchgrove as well, so I don't know if that
3 was a conscious thing among homes at that time. But
4 "the dark room", we used to call it.

5 Q. You say they used it to calm you down in there. Were
6 you put in there if there was an issue and you weren't
7 behaving?

8 A. Yeah, that's where they put you, in there.

9 Q. How long would you spend in there?

10 A. I don't think it was a great deal of time. I can't
11 really recall how long I was in it. But the feeling I
12 get, it wasn't that great a time. It wasn't even like
13 days or anything. It was only like hours or something.

14 Q. This wasn't a punishment for running away and being
15 brought back, was it?

16 A. No, that was just for -- in fact, you didn't get slapped
17 or anything in there for anything. That's where they
18 put you if you were doing anything outwith the rules, as
19 such. And if you argued with any staff or anything,
20 they put you in there.

21 Q. You are only there a few weeks from the records that
22 we've seen, but you are then taken to Larchgrove, and
23 you tell us about that from paragraph 85.

24 I think the decision do that was taken -- we spoke
25 about the fact that Larchgrove, earlier, said they

1 didn't want to take you. But, ultimately, the decision
2 was taken that you were going to Larchgrove.

3 From our records, we can see that was on
4 15 September 1976, so you would still be 12 years old at
5 the time; does that sound about right?

6 A. Yeah. That sounds about -- aha, aye.

7 Q. You tell us that you were taken there by the police, was
8 that after a period when you'd been caught after running
9 away?

10 A. Yeah. Aye. The police drove me to Larchgrove. It
11 wasn't staff from Cardross.

12 Q. Again, this is somewhere you didn't know how long you
13 were going to be there for?

14 A. No, they didn't inform, like, prisoners -- for want of
15 a better word -- what was happening to us. We were just
16 placed there, and then you're in sort of a limbo until
17 you get moved somewhere else. But you weren't given
18 dates or times or what was happening to you or anything.

19 I knew it was a remand centre, because it's in my
20 area, so everybody knows about it. But apart from that,
21 I didn't know a great deal about it, and I certainly
22 didn't know how long I was going to be there, anyway.

23 Q. You say Larchgrove was in the area where your family
24 stayed at that time and that was Balornock; is that
25 right?

1 A. Yes.

2 Q. This was different from Balgowan, in that it was secure?

3 A. It was secure, yeah.

4 Q. Because it was so close to where your family was, you
5 were able to have more contact with them, you tell us;
6 is that right?

7 A. Aye. I used to get a visit every day nearly in
8 Larchgrove.

9 Q. You said that you were able to see [REDACTED]
10 [REDACTED] at night and that was a comfort to you at that
11 time?

12 A. It was, aha.

13 Q. You tell us a little bit about the set-up at Larchgrove
14 and you say that there were boys there between 12 and 15
15 or 16?

16 A. Aye.

17 Q. There were two or three dorms in the Arran wing, where
18 you were?

19 A. That's where I was Arran, yeah.

20 Q. This was six to eight boys in each dorm?

21 A. Roughly, yeah. Roundabout that.

22 Q. There were another couple of wings in Larchgrove as
23 well, but the one you were in was Arran wing?

24 A. The other ones were Jackson and Bute. They were another
25 two wings, down the other part of the centre.

1 Q. You commented earlier there were people in, for example
2 Rossie, who were there for care and protection and not
3 for allegedly committing offences. But, in Larchgrove,
4 it was different because the people there were there for
5 committing offences; is that right?

6 A. Yeah, everybody in Larchgrove had done something.

7 Q. You say, at paragraph 89, that you were just left alone
8 when you were there and nobody tried to force you to get
9 any schooling or anything like that?

10 A. No. That's right. Just -- you could have done your own
11 thing.

12 There was classrooms if you wanted to go, but if you
13 didn't want to go, nobody forced you to go, which was
14 fine by me.

15 Q. You say, at paragraph 89, by that stage you had got
16 yourself a reputation for not conforming?

17 A. Yeah.

18 Q. You would spend your time just sitting and colouring in
19 all day or going to the TV room and watching some
20 television?

21 A. Yeah. That's what we done.

22 Q. You tell us that you had a birthday when you were in
23 there, you went from 12 to 13. You said to [REDACTED]
24 to bring you in a birthday cake?

25 A. I did, aye. I told him to put -- I told him to bring me

1 cards up that said "Happy 14th birthday" on it because
2 you could smoke in there at 14. But I couldn't smoke in
3 there at 12 or 13. So I jumped a year on my birthdays
4 type of thing and got him to say I was 14 on the cake.
5 And they said, no, but you're birth date is 19, whatever
6 it was, and I said, "No, no, I'm 14". They took it at
7 face value I was 14, so I could smoke.

8 Q. You say that your mum actually used to come to visit you
9 and bring you up cigarettes as well?

10 A. Yeah, 20 fags. Used to put them in a box. I think you
11 would get five -- five cigarettes a day, you got,
12 I'm sure it was. Something like that. Like five.
13 Couldn't have been more. But somehow it was about five.
14 I think it was about five. One when you get up in the
15 morning, one at dinner time, one at lunchtime, one
16 before you went to bed. I'm sure you get one about
17 11 o'clock in the morning. I think it was about five
18 a day.

19 Q. The cigarettes were rationed out by staff, were they,
20 throughout the day?

21 A. Staff, aye, that's right.

22 Q. You tell us, at paragraph 94, that you still managed to
23 run away three or four times when you were in
24 Larchgrove, even though it was secure?

25 A. Yeah, aye.

1 Q. Because of that they put you into a different wing, the
2 Jackson wing?

3 A. Aye, I got put into Jackson after I got caught for the
4 second or third time. I got put into Jackson anyway,
5 aye.

6 Q. From the record we have seen, Max, this first time you
7 were in Larchgrove -- because you'll tell us you were in
8 there again at a later date -- you were there from
9 14 September 1976 to 14 June 1977, about nine months;
10 does that sound about right?

11 A. Mm hmm.

12 Q. During that time, the records show that you had
13 absconded five times in that period?

14 A. Aye. If you say so. But I can't remember. It was
15 quite a lot, anyway. There's always a way to get out of
16 these places and I used to find it. You could open one
17 of the doors with a comb. I don't need a comb now, but
18 at that time I did. So everybody had a comb and you
19 used to open the door with it. You could push it in the
20 door and slip out of it. That's how we got out a couple
21 of times.

22 Q. By this time you were a bit of an expert in running away
23 and getting out?

24 A. Yeah, yeah.

25 Q. I think you tell us there was a belt at Larchgrove for

1 discipline and that you received that a couple of times?

2 A. A couple of times. The belt wasn't a big thing in
3 Larchgrove, not so much as it was in Balgowan. It was
4 just on the hands anyway, as far as I can recall. There
5 was nothing -- getting the belt was just a thing. It
6 wasn't a deterrent for anybody anyway. Certainly wasn't
7 for anybody I knew.

8 Aye, I used to get the belt on occasion. You had to
9 really push the boat out to get the belt at Larchgrove,
10 but it wasn't like a threat like it was in other places.

11 Q. Was that the punishment for running away?

12 A. The belt?

13 Q. Yes.

14 A. Not all the time. I had it a couple of times. But,
15 from what I can recall, I didn't get belted a great deal
16 in Larchgrove.

17 Q. You comment, at paragraph 95:

18 "I think I was the only boy to get belted in
19 Larchgrove."

20 A. Yeah, that's what I'm saying. It wasn't a big thing.

21 Q. We talked about the dark room that was in Cardross Park,
22 but I think you talk about a similar type of situation
23 in Larchgrove; can you tell us about that?

24 A. The one in Larchgrove was a bit more serious. They used
25 to put you in -- it was done at the front door. You

1 used to get in the front door at Larchgrove. If the
2 classrooms, or whatever they were, were on the left-hand
3 side and the administration block was on the right-hand
4 side.

5 On the right-hand side, there was a room there, and
6 it must have had the window at some time because it was
7 bricked up with bricks and that's where they put you.
8 It wasn't a window in the door. That was like another
9 dark room. I take it, it was -- all these kind of
10 things were -- I don't know how they filled them up.
11 But they were a thing.

12 They put you in the dark room anyway. But you were
13 in there for a while. It was days at a time you were in
14 there. It wasn't just a couple of hours.

15 I can remember being in it and when I came out it
16 was really bright and you couldn't see for a while, but
17 I don't know if that was to deter you from what you were
18 doing or a punishment or whatever. It was certainly
19 a punishment to me, putting somebody in a dark room.
20 Aye, that's where they put you, in the dark room.

21 Q. When would you be put there? What would have happened
22 to get you there?

23 A. Basically, arguing with members of staff. Not doing
24 what you're told. Getting caught trying to escape.

25 I can't remember if I got put there after absconding,

1 but if you get caught trying to abscond you got put in
2 there.

3 I was in a couple of times. I can't remember why,
4 but I was in it. I'm sure it was for some discipline
5 thing, as opposed to an absconding thing.

6 Q. You tell us that in this room, unlike the room that you
7 told us about earlier that had the window with the wire
8 in it, this one had a window bricked up?

9 A. Yeah, aye. It had a window at one time, but it wasn't
10 a window when I was there, anyway. It was bricked up.
11 I don't know when it got bricked up. But, certainly, it
12 was breeze blocks anyway, so I take it it was a while
13 beforehand. They put the window out and just plastered
14 over it. It was these big bricks. But that's what it
15 was, breeze blocks.

16 Q. There was nothing in this room, just -- no mattress or
17 anything?

18 A. No, no. Nothing. Just -- I think there was
19 an institutional carpet-type thing, but there wasn't
20 any -- no, there was no comforts in it or anything.
21 There was a bucket for obvious reasons. Apart from
22 that, no, nothing in it. Nothing.

23 Q. You tell us it was also freezing in there?

24 A. It was really cold, because there wasn't any heating in
25 it. There wasn't, like, a radiator or pipes, air

1 conditioning kind of thing or anything. There was
2 nothing in it. It was just a room.

3 I always thought it was an office that had been
4 cleared out and converted into this. That was the sense
5 I got about it. It would still be there. Larchgrove is
6 still there anyway, although it's not Larchgrove
7 anymore, but it's took over by somebody else. The
8 building is still there.

9 Q. You mentioned a bucket there. You say, at paragraph 96,
10 that you had to bang on the door to use the toilet and
11 they put a bucket in the room?

12 A. They would let you out during the day, if they could be
13 bothered or whatever. But if they didn't, you had to
14 use the bucket, and you had to use the bucket at night
15 anyway.

16 Q. Have you heard the term "slopping out"?

17 A. Yeah. I didn't slop out. They took the bucket off you,
18 because they never let you out the room until you were
19 getting out the room, if you get my meaning? So they
20 used to take it and they slopped it out for you. We
21 didn't do it.

22 Q. You say that you were in there for more than a couple of
23 days, at least one time it was four days?

24 A. It was easily about four days. From what I can
25 remember, it was quite a long time, anyway.

1 I think it was about three or four days, because
2 when I came out it took me a while to adjust to the
3 light again, which I can remember -- it took me awhile
4 to adjust to the light. So I'd been in there a wee
5 while. There was a wee strip of light under the door
6 when the light came under, but it wasn't a great deal.

7 That's what they called it, a dark room.

8 Q. Again, did you get out at all to get some exercise or to
9 get food?

10 A. No, you were left in there all day. You didn't get out
11 of there until you got out. You didn't get, like,
12 exercise or anything like that.

13 You got exercise when you were in the wings. They
14 had a square exercise yard. I climbed up the drainpipe
15 and over the roof one time. That's how I remember.

16 But not when you were in there, that was
17 a punishment room and you didn't ever get out of that
18 until you were getting liberated out of it.

19 LADY SMITH: Max, did they put the light on at all?

20 A. When they came in to see you, they would put light on.
21 But it was only on -- when they put light on, it hurt
22 your eyes, so you used to sit with your eyes shut
23 anyway. And it wasn't on any great length of time that
24 you could get used to it again. It was just on, come in
25 for the bucket, and off again.

1 LADY SMITH: Thank you.

2 MS FORBES: Where did you sleep when you were in there?

3 A. On the floor.

4 Q. Were you given any blankets or anything like that?

5 A. I'm sure I got a blanket. I can't remember a blanket,
6 but I'm sure I did get one.

7 Q. You say one time you got put in there for running away
8 and one time you were getting your pals in and let
9 everyone run away by bending the metal bars on a window?

10 A. Yeah. I did, aye. ██████████ did it outside, because
11 it was metal, sort of a C-shape kind of thing. He put
12 a scaffolding bar and bent them up, the window could
13 open right up and a lot of people ran away because of
14 it. I went out and then came back in, but I still got
15 punished for it anyway.

16 Q. You say you can't remember getting your meals in there,
17 but you can't say you were starved; you don't have
18 a memory of that?

19 A. Not in the dark room. You did get fed at feeding times,
20 at other times.

21 But, in there, I can't recall. But I'm sure they
22 fed you. I'm not saying they didn't feed you. I can't
23 remember what we got in there, but I take it we did.

24 Q. You comment in your statement that this was something
25 that was used in extreme circumstances; what did you

1 mean when you said that?

2 A. It didn't happen to everybody. It wasn't like a thing
3 where if there was an infraction of the rules you would
4 get put in there. It had to be a part of the behaviour
5 for the way I'm thinking of it. If you get put in
6 there, it was to kind of stop you rebelling or whatever.
7 It wasn't a lot of people that went in there. I was in
8 it anyway.

9 Q. You were in there more than once?

10 A. I was in there a couple of times.

11 Q. You name -- there was an individual who was in charge of
12 your wing and you're not sure if he might have given the
13 order to put you in there or whether it was the
14 headmaster?

15 A. It could only be one of them anyway, but I don't know
16 what one of them it was.

17 I was in there a couple of times. It was sort of
18 a badge of honour to be in there, if that makes any
19 sense, but you survived in the dark room, kind of thing.
20 It gives you a sort of cachet for want of a better word,
21 in that, but not that it was great, because it wasn't.
22 But once you're out, obviously it was no big thing. But
23 it was a big thing being in there, because it was
24 down -- nobody came down there at night or anything, so
25 you're only 12, so you think you're hearing things and

1 you think it's haunted, because people tell you it was
2 haunted. A guy died in it and all the stories you get
3 about places, so obviously you're scared in it.

4 Q. You have described being in there on one occasion at
5 least for about four days. What did you do to keep your
6 mind occupied while you were in there?

7 A. Just thought about getting out of there. What I was
8 going to do when I got out. Not just out of there, but
9 out of the full place. All I wanted to do was go home.
10 If I'd have went home, I would have been delighted, but
11 it just wasn't going to happen because of all the
12 charges I had accumulated throughout the period I'd been
13 in all these places.

14 You still hope. There's always going to be a bit of
15 hope. That's what I used to think about, getting out
16 and being with people that didn't do all these things to
17 you. It never happened to me in my own house, like
18 getting belted and all that. All that didn't happen
19 ever.

20 Used to fight with [REDACTED], but I never got beat
21 up by my dad or my ma. Nothing like that. That's the
22 kind of thing I used to think about. It happens in
23 here, where it's meant to be a better place than your
24 own place, and it's not, and it never was anyway.

25 Q. We mentioned that you think you were in Larchgrove

1 twice. The records we have seen, as I said, the first
2 time you were there about nine months, and the second
3 time you were there in October 1977, so you were a bit
4 older.

5 You tell us, at paragraph 99, the second time you
6 were nearly 14?

7 A. Yeah.

8 Q. That would make sense. You talk then about in between
9 times that you were in Kibble.

10 From records we have seen, Max, the decision was
11 taken at one time for you to stay at Larchgrove for
12 a while and then try to go to a school outside, that was
13 Cranhill School; do you remember there being a time when
14 that was what you were supposed to be doing?

15 A. I went to Cranhill School. I thought it was from Kibble
16 that I went to Cranhill School. But if you're telling
17 me it was from Larchgrove, that's fair enough. But I
18 thought it was from Kibble I went there.

19 Q. I think there is a time, we can see from the records,
20 from Kibble, where you again are going to
21 Cranhill School. The reason, maybe, why you think you
22 didn't go from Larchgrove is because actually you never
23 went at all that time.

24 A. Aye. That's probably what it is then.

25 Q. I think this was a chance to see if you were going to be

1 able to go to school outside because it was thought that
2 would be the best thing for you. But, from our records,
3 we can see that you then absconded on 30 May 1977 and
4 whilst you were away, during that period there were
5 arrangements made for you to go to Kibble. You might
6 not have been aware that that was all going in the
7 background.

8 But there is a record that we can see that
9 Mr GHK [REDACTED], who was SNR [REDACTED] at Kibble, said he
10 was prepared to take you, even though at that time you
11 were still on the run. [REDACTED]

12 [REDACTED] it was thought that might be a good place
13 for you to go.

14 I think that by the time that you are caught, after
15 that decision was taken, you had been away on the run
16 for a few weeks. It was 14 June 1977 that you were
17 apprehended and taken to Kibble. Again, you are still
18 only 12 years old at that time; does that sound right?

19 A. Yeah. That sounds about right.

20 MS FORBES: I'm just trying to check my maths.

21 LADY SMITH: 13.

22 MS FORBES: 13.

23 A. Sorry.

24 LADY SMITH: 13, the previous [REDACTED].

25 MS FORBES: [REDACTED] is your birthday and you would have

1 been 14 that year, but hadn't got there yet.

2 A. Mm hmm.

3 Q. From the records we've seen, Max, this was to be a trial

4 period; did you know that that what was to happen, this

5 period at Kibble was a trial period?

6 A. No, nobody told me. Nobody had these discussions with

7 people. You were just told where you were going, but,

8 no, I didn't know it was a trial period. I thought that

9 was me, I was in Kibble now and that was it. I didn't

10 know it was a test or whatever it is, a trial, whatever.

11 I didn't know that.

12 Q. ██████████ was there. ██

13 ██

14 A. Yeah, aye. ██████████

15 Q. You tell us that you liked being there and you were left

16 alone just to get on with things at Kibble?

17 A. Aye. Kibble was fine. There was none of the shady

18 punishments in Kibble. They treated you more grown-up

19 really, at Kibble.

20 They treated you more age appropriate in Kibble than

21 anywhere else I'd been previous to that.

22 Q. When you say "age appropriate"; what were they doing

23 there that you liked?

24 A. They used to take you hillwalking and things. Things

25 like that, at the weekend, that you never went home and

1 things like that. You could smoke. You could smoke
2 quite a lot, actually. It wasn't just about being able
3 to smoke, because you could smoke in Larchgrove.

4 I don't know if I could put my finger on anything
5 specific. It was just -- it was a lot more relaxed. I
6 didn't see anybody doing anything to any of us. Apart
7 from the other guys, obviously you get that when you put
8 a bunch of boys together.

9 Q. Are you talking about fighting between boys?

10 A. Aye, but nothing serious. Just things that would
11 probably happen at high school with people. Nothing
12 really bad in Kibble.

13 Q. From what you're describing; did the staff have a sort
14 of different attitude towards the rules and discipline
15 at Kibble?

16 A. Yeah, definitely.

17 Q. That was something that you appreciated?

18 A. I did appreciate that.

19 Q. Although you were in Kibble and you were liking it
20 better than other places you'd been, you were still
21 running away I think. Although you weren't perhaps
22 getting into as much trouble at that time; would that be
23 fair?

24 A. Yeah. I say I liked Kibble, but I still didn't want to
25 be there, so ...

1 Q. Again, from the records that we have seen, Max, that you
2 might not have seen, I think that SNR there,
3 Mr GHK; is he somebody that you remember?

4 A. I remember Mr GHK well. I remember him quite
5 fondly. He was an okay guy. He was an older gentleman,
6 but he was fine.

7 Q. From the records we've seen, he felt you should be
8 allowed home and to attend Cranhill School when the new
9 term was to begin that year. That's perhaps what you
10 were thinking of when we spoke about Cranhill School
11 before. The view was, if that didn't work, then you
12 would go to Kibble on a daily basis for education as
13 a day boy?

14 A. Mm hmm. I don't think it actually worked out that way.
15 I remember going to Cranhill from Kibble,
16 Cranhill School. I don't know if I ended up a day boy.
17 That's what we used to call it because you went during
18 the day and went home at night, or vice versa. But
19 I can't remember if I ever actually -- I remember having
20 that discussion with Mr GHK though, but I don't
21 know if I actually achieved day boy status.

22 Q. Again, just to help from records that we have seen, you
23 were allowed home from Kibble and you were to attend the
24 Cranhill from home. However, that only lasted for
25 a short period because you weren't going to school.

1 There were some more charges, so you were brought back
2 to Kibble.

3 Then, again, it was September 1977, they allowed you
4 to attend Kibble as a day boy for education and to go
5 home. But, again, that only lasted for a few weeks and
6 then you stopped going to Kibble, so you were taken back
7 in at that point, I think.

8 Is that something that you remember?

9 A. I remember being in The Kibble, yeah. As I say, don't
10 know the ins and outs of it. I remember being in it
11 twice. I remember the day boy thing and all that. But,
12 as I says, I liked it and all that, but it was still --
13 I didn't like it that much.

14 Q. It wasn't home?

15 A. It wasn't home. Exactly.

16 Q. Unfortunately, there were some allegations of theft of
17 motor vehicles in October 1977 and that meant you ended
18 up back in Larchgrove for that second time, but you were
19 still only 13 years old then. I think there was a trial
20 then after you turned 14 at the Sheriff Court in
21 December; do you remember that? It was about the theft
22 of a motor van.

23 A. I can't remember being on trial for it, but I can
24 remember being on trial for something, but not
25 specifically what it was for.

1 Because at that time, if you got charged with
2 something, you went to the Children's Panel and they
3 decided whether to refer it to court or if they would
4 deal with it, which was what usually happened. But on
5 occasion you went to court for it.

6 Q. I think again from records, Max, that we have seen, you
7 were found guilty at that trial and you were placed on
8 a two-year residential order and you were taken back to
9 Larchgrove to await a place in a closed block in Ogilivv
10 House, at Kenmure St Mary's?

11 A. Mm hmm. Nobody mentioned that to me, either.

12 Q. That wasn't something you were aware of at the time?

13 I think you absconded again. Perhaps if we could go
14 to the record that I took you to earlier, which was the
15 one that is GLA-000003255.

16 If you go to page 20 of that.

17 A. Got it.

18 Q. On page 20, if we look at the bottom of the page, there
19 are two entries on the left-hand side column, near the
20 bottom, and it's the second-last one that I'm just going
21 to refer you to.

22 The date that I can see is 6 February 1978 and this
23 is the social worker again recording his dealings with
24 your family, yourself and the different places. It
25 says:

1 "Visit to home and saw mother, who told me Mark had
2 come to her house in a filthy state, had been glue
3 sniffing and would probably come back tonight. She is
4 extremely worried about the lad and I arranged with her
5 that I would go back to the local police office and get
6 them to call at her home at about midnight when it is
7 hoped Mark will be home."

8 This is just a record there about the fact that you
9 were -- at that time, you are on the run?

10 A. Mm hmm.

11 Q. But you had gone to see your mum and you had obviously,
12 in her eyes, been glue sniffing; was that something you
13 had a problem with at that time?

14 A. Not a problem. I had tried it a couple of times with
15 one of my pals, but I wasn't like a prodigious glue
16 sniffer. I tried it. That's probably one of the times.
17 I tried it maybe two or three times, but it was never
18 a thing. It was just a passing thing.

19 Q. The record below that is the next day, 7 February, and
20 it states:

21 "Phoned Larchgrove and Mark was caught by police and
22 returned to assessment centre."

23 That was you caught at that time and back in
24 Larchgrove?

25 A. Yeah.

1 Q. Over on the next page, page 21, just at the top, it just
2 continues on that same record, which is dated
3 7 February 1978 and just on that first line, it says:

4 "Mother has suggested Longriggend and I must admit
5 this has been my own feeling for some time."

6 I think this was your mum and the social worker
7 taking the view, for your own safety perhaps, you needed
8 to go somewhere that was more secure to perhaps stop you
9 from running away?

10 A. Yeah. I didn't know anything about this, but, okay.

11 Q. We know from these records that you are taken to
12 Longriggend on 17 February and that's later on that
13 page. Halfway down there are two entries, and I think
14 one is not redacted:

15 "10 February 1978."

16 Underneath there is one that says:

17 "17 February 1978."

18 But you can't see that.

19 A. Aye.

20 Q. There is a phone call from Larchgrove to say:

21 "Mark going to Longriggend today."

22 The social worker comments that he can't help take
23 you there because of a problem with his car. That's you
24 going to Larchgrove on 17 February 1978, so you would
25 have been 14 years old at that point?

1 A. Yeah.

2 Q. If we stay on this for a minute. Go to the next page,
3 page 22. There is an entry at the top of the page,
4 left-hand column in the margin, which says:

5 "March 1978."

6 It's continued from the page before. This is
7 a social worker commenting that he has spoken to your
8 mother. On the second line on that page, it says:

9 "Mother told me that she'd gone to see Mark at
10 Longriggend and says he's like a caged animal and has
11 regressed terribly. Mother was worried and I'm really
12 sympathetic with her."

13 LADY SMITH: "I can really sympathise with her", I think.

14 MS FORBES: I'm grateful, my Lady:

15 "She herself reminded me that it was her suggestion
16 to have Mark sent to Longriggend, but she now wonders if
17 this was the right thing to do."

18 Then he says that he promises he's going to come and
19 visit you up in Longriggend.

20 If we go further down that page, halfway down there
21 is an entry in the left column, which is 30 March 1978,
22 where the social worker records visiting you there in
23 Longriggend, and he says:

24 "Saw Mark and I must agree with mother's concern
25 about the boy. On this occasion, Mark was communicative

1 and did not seem to want me to leave. I assured him of
2 my interest in him and of my efforts to get him to
3 Ogilivv Block as soon as possible. Before I left
4 Longriggend, the senior officer [then he names someone]
5 came to see me as Mark had arrived back in his unit
6 crying."

7 He then states that he explained to the senior
8 officer what he'd been saying to you, and then he
9 appeared to understand why you might be upset.

10 Q. I wanted to take you to that record, just to show the
11 picture of what was being recorded when you first went
12 to Longriggend.

13 Do you remember that incident of meeting with the
14 social worker after you arrived there?

15 A. I can't remember a specific time meeting with him, but
16 I can remember seeing a social worker, yeah. But --
17 I can remember going to Longriggend.

18 Longriggend is a prison. It's not a remand centre.
19 Although it was called a remand centre, it's run by the
20 Prison Service.

21 Q. Yes, it's a prison for young -- you describe it, at
22 paragraph 102, as being a prison for young offenders and
23 it's run by prison staff?

24 A. Yeah, it is. Or it was.

25 Q. You think you were there for about eight or nine months.

1 Because of your age, you were in what you call the
2 schoolboys' wing?

3 A. Mm hmm. I was in the schoolboys' wing, yeah.

4 Q. Was that a separate part of Longriggend that held people
5 of a similar age to you?

6 A. Aye, aye. There was nobody over 15 in that particular
7 block. You seen everybody else, it wasn't blocked off
8 or anything, and you got to exercise with them as well.
9 There was nothing -- the only thing different was we had
10 separate place to sleep for older guys, between 16 and
11 20.

12 Q. You didn't sleep in the same dormitories?

13 A. No. Single cells.

14 Q. You didn't sleep in the same area as the ones that were
15 16 to 20?

16 A. No, no. We had a separate wing. It was two to a cell
17 actually, not one to a cell.

18 Q. You were sharing a cell with someone else?

19 A. Yeah.

20 Q. You have described how you would be able to have
21 recreation with older boys during the course of the day?

22 A. Yeah. But they used to only put the golf and that on.
23 I wasn't into golf. Still not into golf. But whatever
24 the prison staff wanted to watch, we had to watch.
25 Horse racing or golf was the usual thing.

1 Q. What about meals? Did you associate with the 16 to
2 20-year-olds at meal times?

3 A. Yeah. There was an aisle separating us, but everybody
4 was in the same place at the same time getting
5 everything.

6 Q. You say you were expected to go to school because of
7 your age whilst you were there, but you were expelled
8 from the school in Longriggend?

9 A. I wanted expelled anyway. I didn't want to go. I did
10 get expelled, yeah.

11 Q. You say that was a point of pride?

12 A. It was. Getting expelled from school in a prison it's a
13 kind of thing. It was for us, anyway.

14 Q. You comment that this is a situation where you didn't
15 know how long you were going to be there for or what was
16 supposed to be happening to you?

17 A. No. You were only given time lines when things would
18 happen. Nothing. I don't even think there is a law
19 about that. I know now there is a law for people on
20 remand. I know all that now, obviously. But, at that
21 time, you were just put in there and took out there
22 whenever you were getting took out. You didn't even
23 know when.

24 Q. You say that you were sharing a cell with someone else
25 of a similar age; do you remember how big the cell was?

1 A. It had two single beds in it and a chair. Was it
2 a chair or two chairs? It was a chair in the middle of
3 the room. It had two beds. Two pots to do the toilet
4 in at night. That was it. It wasn't very big.

5 Q. You are describing these two pots, one for each of you;
6 you had your own pot?

7 A. Aye. Separate ones, aye.

8 Q. Was this slopping out, as you understand it?

9 A. It was slopping out, aye.

10 Q. During the day; were you able to go to the toilet in
11 a proper facility, if you needed to?

12 A. Not really. You were only encouraged to ask to go to
13 the toilet. When you were locked in, you were locked
14 in. The staff weren't big on opening the doors and
15 letting you out to go to the toilet or they'd have been
16 doing it all day, they said, which I thought was wrong.

17 You had to use -- in your cell, and then there was
18 set slop out times, where you went along to the toilets
19 or whatever they called them. But you went along there
20 at slop out times.

21 You never got opened up for the toilet. I can't
22 ever remember getting opened up for the toilet, but
23 that's the way it was.

24 Q. During the course of the day, you would get out for
25 about half an hour of exercise, you tell us?

1 A. Yeah.

2 Q. That was in pairs?

3 A. Two by two, aye. You weren't allowed to talk or
4 anything. You couldn't even talk to the guy next to
5 you. You had to just walk round in silence. Sort of
6 a grim exercise kind of regime, but that's what it was.

7 Q. You tell us about an incident where, like you had done
8 in every other place you'd been in, you tried to escape
9 from Longriggend?

10 A. I tried to -- the 16-year-old blocks were maybe
11 concrete, but our block was made of -- sort of concrete
12 as well. But the roof, it was like an arched roof,
13 an old roof kind of thing, like roofs on people's
14 places. So we put the beds together and climbed up on
15 the beds and made a hole in the ceiling, thinking we
16 could go into the attic space and make a hole in the
17 roof and climb over the fence with a couple of
18 toothbrushes, but to cut the fence. But we didn't get
19 that far. But that was the plan. We got caught.

20 The staff came in -- and it's prison staff,
21 remember. We're not talking about a couple of wee slaps
22 and that. I thought I was going to die. It was a
23 doing. I never had anything like that when they caught
24 us trying to escape.

25 We got put in solitary confinement, because that is

1 what it was now. It wasn't dressed up as anything else,
2 like a dark room. Put in solitary. In Longriggend, you
3 went in to see the governor and it was along a wee
4 corridor. The cell block was in a wee square of cells.
5 Only three cells in it.

6 There was no heating in it. I was in there for --
7 I think it was 14 days I got. But what used to happen
8 was first thing in the morning -- it got opened up at
9 6.30 in the morning. They would come in at 6.30 in the
10 morning and would you get a slop out. But when you are
11 slopping out your mattress gets took out your cell so
12 you were in the cell all day no cover, just the clothes
13 you had on, a pot in the corner. Took your mattress out
14 in the day and the thing was you're not lying down when
15 everybody else is up. That was what they used to say.

16 I was in there for 14 days, solitary confinement, me
17 and the other boy. During the day when you got up in
18 the morning there was ice on the walls in the winter, in
19 cold weather. February was still winter. Ice on the
20 walls but that was every day for 14 days. If they
21 wanted to give you more than that they had to ask the
22 visiting committee, which they could upgrade it to 21
23 days or 28 days, which did happen, but to older people.

24 14 days was the longest I spent in there but I was
25 in there a couple of days, doing five days or seven days

1 or whatever else.

2 Q. Max, you were saying about when you got caught from this
3 foiled escape plan, that the prison officers caught you
4 and you said you thought you were going to die. Can you
5 describe what they were doing?

6 A. They were hitting us with batons. The prison staff had
7 batons, because they're prison staff. They're not
8 social work staff or whatever. Generally you would get
9 held down and hit with a couple of -- usually they would
10 hold you down and you would get hit with the batons.
11 I'm not sure if it was that time or that time later but
12 I thought they were going to kill us. That's what I
13 thought, but they didn't, because I'm still here, but
14 you know what I mean.

15 We got took from there for trying to escape and put
16 into the cell block and actually we got assaulted with
17 batons. It wasn't as if we get asked to walk down there
18 peacefully or anything. You just get what you can.

19 Q. How many prison officers were involved in that?

20 A. It was at night, so not as many as there were in during
21 the day, but about four or five of them, that I can
22 remember, but this will sound daft, right, but you
23 wanted as many of them to be there because then they all
24 get in each other's way and can't hit you as hard as
25 a couple of them, if that makes any sense. The more of

1 them they are, they get in each other's way and you
2 don't get as bad a doing. You still get a doing but it
3 doesn't work out as bad, but there was only four or five
4 there, so it was a bad, bad doing.

5 Q. Just before we leave that, apart from hitting you with
6 batons were they doing anything else to you?

7 A. Kicking you and all and kick and punch you, but it was
8 more hitting you with the baton and kicking you.

9 Q. It was after this incident with the batons and kicking
10 that you then get taken down to the segregation cell?

11 A. Yes, put in the seg.

12 MS FORBES: My Lady --

13 LADY SMITH: What is the plan? How long longer do you think
14 we're going to need?

15 MS FORBES: I don't think we'll be too much longer, my Lady
16 and we need to check the position with what is happening
17 with the witness --

18 LADY SMITH: The facility at the other end. Are you
19 suggesting we break now or carry on?

20 MS FORBES: We could carry on, my Lady.

21 LADY SMITH: I would hope it wouldn't inconvenience the
22 facility that is being provided at the other end. Can
23 we just check with witness support there? If you could
24 check if it's going to be okay if we continue to use
25 this facility for next ten or 15 minutes, could you do

1 that?

2 (Pause)

3 Max, we don't need very much longer to finish your
4 evidence, so it would be better if we can, I think, just
5 to do that now rather than do the lunch break and then
6 come back for that short period, but we'll just check
7 that everybody is okay with that for the availability of
8 the room that you're in.

9 MS FORBES: My Lady, thank you.

10 You tell us, Max, at paragraph 106 that you think
11 you were in Longriggend twice and I think from the
12 records that that seems to be correct. I think then
13 between those times you went to St Mary's Kenmure and
14 that was this Ogilivy wing or unit that had been
15 mentioned in your records?

16 A. Yes, St Mary's.

17 Q. From the records that we've seen, it was on 24 May 1978
18 there was then a place available for you in the Ogilivy
19 wing and you would have been 14 years old at that time,
20 does that sound about right?

21 A. Sounds about right.

22 Q. People were checking on you whilst you were there and
23 saying that you seemed to be getting on okay there in
24 comparison to how you were at Longriggend?

25 A. Mm hmm.

1 Q. Again, you describe the set-up at St Mary's and we've
2 got that information and we can read that. So I'm not
3 going to take you through all that. It was separate
4 cell situation, is that right?

5 A. That's right.

6 Q. You were locked in at night sort of like a prison?

7 A. Basically it was a prison, because you couldn't walk out
8 when you wanted, kind of thing, but it had bars on the
9 windows, but it was a lot better than Longriggend.

10 Q. You say that if you got caught swearing or something
11 they would put you something called the MPU which you
12 assumed was the multi-purpose unit?

13 A. Yeah.

14 Q. That was two cells that you got put in until you signed
15 a contract saying you wouldn't swear again, which you
16 would just sign to get out of there?

17 A. Yeah.

18 Q. If you had sworn during the day you would get your meals
19 in there and the most you were in that MPU unit was
20 three days and you think you were in there five or six
21 times?

22 A. I think I was in it about five or six times, yeah. It
23 had a window, but it was a wee slit window. It was like
24 a sort of a pill box, thin window, it had and it had
25 an observation hatch on the door so it was a cell.

1 Q. You tell us there were a lot of things that happened at
2 Kenmure St Mary's but you're not wanting to tell us
3 about that in any detail?

4 A. Not really.

5 Q. From your records, you ended up leaving St Mary's
6 Kenmure, after you had agreed a sort of written contract
7 with Mr GHK from Kibble and you went there for the
8 second time and by then you were 15 years old. This was
9 in May 1979. Does that sound right?

10 A. Aye, went back to Kibble.

11 Q. You comment at paragraph 116 that they treated you the
12 best in there out of all the places you have been in,
13 they treated you age appropriately and we talked about
14 that?

15 A. Yeah. Kibble was a good place.

16 Q. You talk about the second stay in Larchgrove and we
17 touched on that earlier, about the dates and again the
18 dark room featured. You think you were in there maybe
19 twice?

20 A. Yeah.

21 Q. You comment that there were issues about being able to
22 talk to each other after lights out in Larchgrove?

23 A. Aye. In Larchgrove when you get put to bed it was
24 lights out. Lights out was -- sometimes it --
25 I'm thinking about 9 o'clock. Obviously in the rooms

1 you're in there's maybe four or five of you, so if you
2 get caught talking you used to get taken out of bed and
3 took down to the -- there was a square between Jackson
4 wing and Bute wing and the gym, so it was like a square
5 and the front offices so in a square that intersected
6 four different corridors.

7 You used to get put in the square with the night
8 watchman. People said he was in the Army. He used to
9 get called "Sergeant Major", that was his name. He put
10 you in the corner and you stood in the corner, sometimes
11 for an hour-and-a-half, two hours, and you can't talk.
12 There is you and whoever is talking in the room. You
13 would all stand there, but if you get caught sniggering
14 or you catch somebody's eye then you stayed there for
15 about half-hour increments so if you done something
16 there you are there for another half an hour.

17 We used to call it a long stand. You were there for
18 a while.

19 Q. A long stand?

20 A. Aye, a long stand.

21 Q. You say that after you were there and you don't there
22 for very long, you went back to Longriggend for the
23 second time and again you talk about those punishment
24 cells as well?

25 A. Aye.

1 Q. You have described those.

2 I think then you were offered to go back to
3 St Mary's Kenmure for a second time and you didn't want
4 to go and said you'd rather go to a young offenders
5 instead and so you were offered Glenochil?

6 A. I wasn't offered it. I wasn't offered Glenochil.
7 That's where I went. They didn't say, "Do you want to
8 go there?" It wasn't an offer.

9 Q. Essentially, you went to Glenochil and you comment at
10 paragraph 122 you were one of the youngest there and you
11 were a CYP and you think that means a "convicted young
12 prisoner"?

13 A. Yeah.

14 Q. You think that you might have been there for about 16
15 months, even though you were supposed to be there for
16 about two years?

17 A. Yeah, because I had got sentenced to two years and I
18 didn't know at the time that you are up for parole every
19 three months. Nobody told me that either. So I didn't
20 know that.

21 I moved from Longriggend to Glenochil. I can't
22 remember when it was, what year it was. I was 15
23 anyway, because I wasn't allowed to smoke. I was too
24 young to smoke. They still wanted me to work but I was
25 too young to smoke. So I didn't want to work anyway.

1 But I went to work but I would do as little as possible
2 and you end up you get put in the cells.

3 If you get on report in Glenochil at that time you
4 got on report and you got put back in your cell, but if
5 you get two reports you've got a double report. You get
6 moved into the cell block. So after a while I used to
7 get two reports every time, just to inconvenience them
8 to be honest, so they would need to take me to the cell
9 block.

10 They used to get punishment PT in the mornings.
11 That was actually my sentence. I quite liked the PT so
12 I used to get the double report to go there as well as
13 the inconvenience thing.

14 Q. This is you being rebellious and just doing the opposite
15 of what they wanted you to do, is that fair?

16 A. Yes.

17 Q. You tell us about abuse at Glenochil at paragraph 124 of
18 your statement and you say that Glenochil was bad?

19 A. Glenochil was really bad. I mean, there were people
20 being stabbed in Glenochil and there was a lot of people
21 being slashed and all that. I never seen anything like
22 that. Don't get us wrong, when I was a young boy, I
23 seen a guy getting killed in front of my window. That
24 was gang fighting things, back years and years before,
25 but these guys are all about me, guys in for murder.

1 Guys in for a lot of dodgy things back then and I was
2 only 15.

3 Q. You say about the staff there, though, it wasn't just
4 the other inmates that were there, it was the staff that
5 there was issues with as well?

6 A. Aye, there was. There was one came into my cell, ended
7 up I was charged -- I wasn't charged -- well, I was
8 charged in the orderly room with assaulting him.

9 He came in my cell and whatever was said he ended up
10 slapping me and told I told him to walk out the door and
11 I hurt him with a chair and then all the other staff on
12 the landing came down. They press an alarm and all the
13 staff come from out the jail and that's what I'm talking
14 about, about being -- you are actually better with more
15 than less as they all get in each other's way, which
16 isn't to say I didn't get a kicking, because I did.

17 I had a boot print on my chest and all that. There
18 is another time I didn't think I was going to pull
19 through it. But when I went to the orderly room to see
20 the governor I told the governor I was assaulted as well
21 and he was like that I would you need to prove it. I
22 remember pulling my top up and there was -- it was a big
23 boot print on my chest, so I still was given seven days
24 in the cells or whatever, but I never got charged with
25 anything because I was assaulted as well as him.

1 Q. You tell us about that in the paragraphs from 126 down
2 to 128 and you say that you think that because you
3 pointed out the boot print that you had on you, that
4 essentially then you were almost -- it was lenient what
5 happened to you as a result of that compared --

6 A. I still got punished, but it wasn't -- I didn't get
7 charged with assault or anything.

8 Q. One of the things just to highlight at paragraph 124,
9 you said that the staff at Glenochil used to beat you on
10 a regular basis, it was pure casual violence?

11 A. Aye. Because it's a prison and I have been in prison
12 quite a few times since then, but back then the amount
13 of beatings they handed out, the more they were able to
14 control people. It worked out totally opposite,
15 because -- well, you have seen -- you know what goes on.
16 But there's only so much of that you're going to take.

17 As I said, if you argued with one member of staff
18 you argued with all the members of staff. They had
19 a herd mentality. If you stood up to one, you stood up
20 to them all. So they would all gather round you and all
21 that.

22 Even in the orderly room -- when you got to the
23 orderly room, there is a prison -- at that time, it's
24 not a -- you get a seat and writing paper and all that,
25 but it's just all different. But at that time, if you

1 were on a report, one stood either side of you, right up
2 at your face and then you answered the charge. But, see
3 if you lifted a hand to point or something, you would
4 get put to the -- took to the ground, sorry, right away.
5 You weren't allowed to move or have any sort of other
6 expression, apart from speech

7 So, aye, you used to get beat up quite a lot. In
8 fact, I got beat up a really lot in Glenochil.

9 Q. You were there then until you were 17 when you left and
10 at that time you got to go back to your mother's house
11 is that right?

12 A. Aye, I did.

13 Q. You tell us in your statement about what happened after
14 these periods when you were released, but unfortunately
15 you tell us that things didn't go that well. There were
16 more offences and you had been in and out of various
17 prisons, it's fair to say, but the longest you'd been
18 out was about -- over 15 years; is that right?

19 A. 2003 to -- 2001 to 2016, yeah.

20 Q. You have three children and you were able to work and
21 keep out of trouble for quite a period of time in those
22 15 years, and then you ended up being made redundant.

23 I think just to talk about one thing that you tell
24 us about impact in your statement, paragraph 132 you
25 say:

1 "I've gone on to commit crimes of violence because
2 of the violence that was done to me in care. I know
3 what's done to you, you do to other people. I also
4 think at the end of the day I'm in prison for me and not
5 because of what anyone did to me."

6 I think in paragraph 133, you say:

7 "My time in care made me. I'm not saying that as
8 an excuse, but you meet violence with violence. I think
9 the violence within me was because it was how I was
10 treated."

11 A. That's correct.

12 Q. Later on, Max, you comment, at paragraph 134, that you
13 were in care for not going to school, so why would you
14 want to go to school when you were in these places and
15 they should have left you outside and left you to go to
16 school or just left you alone?

17 A. Mm hmm. That's right, because I wasn't happy or
18 anything with not going to school. I understand you
19 need to have -- they have to have these rules and all
20 that, I get that. But there are certain people that
21 schools just don't work for. And I didn't think I was a
22 genius, but I learnt to read and write and count and all
23 the rest by the time I was 11. So as far as I was
24 concerned I didn't need school. Everybody else told me
25 I still did, but nobody would listen to what I had to

1 say, if you know what I mean.

2 Q. There is something you raised in the last point, that
3 when it comes to hopes for this Inquiry, at
4 paragraph 140, you comment that the authorities moved
5 you from Balrossie to Balgowan, which was a long way
6 from your family and that was in the mid-1970s.

7 Ultimately, you say you had to learn to steal cars
8 to get home when you ran away and it was difficult to
9 have contact with your family, and maybe things would
10 have been different if you'd had that contact?

11 A. Mm hmm. As I said earlier on in this, I didn't even
12 know what Dundee was. As far as I'm concerned, it's
13 another side of the world from where I stayed. The only
14 way I could get home -- because at first I tried to get
15 a train, but they used to go to the train and they'd get
16 the train station watched.

17 The only other way was finding somebody in there
18 that could drive a car and show me how to drive a car
19 and then I would do it myself, and that's what I done.

20 It's just -- I don't know. It's just trying to take
21 people away -- alright, I was on my way to go to Rossie,
22 but Rossie wasn't the summer camp they were making out
23 it was, so I don't know. Nobody sat me down and asked
24 what I wanted ever, or what I thought I would get out of
25 things or anything like that.

1 There was nothing like that. They don't have --
2 they might now, but at that time they don't -- didn't
3 have those conversations with us. We were only told
4 what to do and you only find out things after getting
5 moved that you are getting moved, things like that.

6 MS FORBES: My Lady, there is one more thing that I just
7 want to quickly take him to --

8 LADY SMITH: Yes, very quickly.

9 MS FORBES: There is another document, the third document
10 you have there, GLA-000003254. It's nine pages.

11 Go to page 2 first of all. It's a Social Inquiry
12 Report, and I think -- this wasn't prepared when you
13 were a child. It's 29 October 2001. It's the date of
14 the court.

15 If we go to page 3, the social worker is saying that
16 you had been subject to a non-parole licence and that
17 had been revoked, so there was a report being prepared.

18 If we can go over to page 4, it's got a section
19 marked "Personal history".

20 There are three paragraphs there. In the second
21 paragraph, if we go down to the second line, it says:

22 "Consequently he was placed in care."

23 This is talking about when you were younger:

24 "First Balrossie, then Balgaven [I think that's
25 supposed to be Balgowan] and Dundee. Mr Lafferty

1 describes graphic beating, bullying and attempts to
2 sexually abuse him both by staff and older residents.
3 He made attempts to run away many times, but has always
4 returned. On these outings he felt free and often
5 exhilarated by the lack of pressure and it was at these
6 times he learned to enjoy the thrill of these acts and
7 the sense of mastery it gave him."

8 Then it talks about your cycle of offending
9 behaviour thereafter.

10 I just wanted to take you to that, Max, because this
11 appears to be a time before this Inquiry was thought
12 about, where you have told a social worker about what
13 happened to you in Balrossie and Balgowan.

14 A. Yeah. 2001, that was. I remember it.

15 Q. I was going to ask you: is that the first time that you
16 were telling somebody like a social worker about what
17 had happened?

18 A. I was quite comfortable -- she really wanted to know,
19 which is why I told her. Nobody else wants to know, so
20 I didn't tell them. I didn't want -- using that as
21 an excuse anyway, so that's why I didn't tell anybody
22 else either.

23 But, aye, that's what happened. And what I told you
24 is what happened at this Inquiry right there, and it's
25 ragey that things like that happen, but I did tell the

1 social worker that in 2001, aye.

2 MS FORBES: Max, those are all the questions I have for you.

3 Thank you very much. I know I've kept you longer than I
4 said I was going to keep you.

5 My Lady, I don't have any further questions.

6 LADY SMITH: Max, can I add my thanks, both for everything
7 you've told us and the long session we've put you
8 through today and in your written statement, which also
9 gives us really helpful detail about all your
10 experiences. I'm really grateful to you for that.

11 I'm now able to let you go and I hope the rest of
12 the day isn't as exhausting as this will have been.
13 Thank you.

14 A. Thank you.

15 LADY SMITH: Before I rise for the lunch break, the usual
16 reminder that names have been mentioned that are not to
17 be repeated outside this room. They are members of
18 staff, including a Mr GKF, the name GBR
19 Mr Dale, Mr GHK and some boys, including one called
20 and one called and they are entitled to
21 the protection of my General Restriction Order.

22 We'll stop now for the lunch break. If we can try
23 to get going at about quarter past two, thank you.

24 (1.25 pm)

25 (The luncheon adjournment)

1 (2.15 pm)

2 LADY SMITH: I gather, Ms Rattray, we have a change of plan
3 this afternoon and we're going to move on to some
4 read-ins just now; is that right?

5 MS RATTRAY: Yes, yes, my Lady.

6 The first read-in is the statement of an applicant
7 who has waived anonymity and is William Bauros.

8 His statement is at WIT-1-000001039.

9 LADY SMITH: Thank you.

10 William Bauros (read)

11 MS RATTRAY: "My name is William Bauros. I was born in
12 1963. My contact details are known to the Inquiry."

13 From paragraph 2, William speaks of his life before
14 care. He lived in Cumbernauld with his parents [REDACTED]
15 [REDACTED]. His dad was a [REDACTED] and died when William was
16 five-years-old. William didn't realise it at the time
17 and has no bad memories of family life, but his mum just
18 couldn't cope [REDACTED].

19 Social workers were involved and about a year later
20 William was taken into care. He was admitted to Mugdock
21 Bank Children's Home in Milngavie. [REDACTED] Secondary Institutions - to be pub

22 [REDACTED] Secondary Institutions - to be published later

23 [REDACTED] Secondary Insti. He stayed for three years, before moving to
24 Cardross Park Assessment Centre at the age of nine.

25 From paragraphs 19 to 43, William speaks of his

1 experiences at Cardross. He hated being there. He
2 witnessed a boy being sexually abused by a member of
3 staff, Mr [GMS]. He doesn't know who reported it, but
4 William recalls giving evidence at Dumbarton Sheriff
5 Court when he was aged ten, and Mr [GMS], he says, was
6 sentenced it two years' imprisonment.

7 William says that he himself was sexually abused by
8 another member of staff, Mr [GMU]. William ran away
9 once and was punished by being put in the cooler
10 overnight. The cooler was a room with no windows. It
11 had a couch, but no blanket or toilet.

12 In 1975, when he was 12, William was moved to
13 Balrossie School in Kilmalcolm. From paragraphs 44 to
14 55, William describes his experiences there. He
15 remembers he started sniffing glue. He thinks he was
16 there for about a year and nothing really bad happened
17 to him, but he wasn't happy as there was a lot of
18 aggression and fighting between the boys.

19 When that happened, staff would break it up and
20 those involved got the belt. William ran away once and
21 was caught by the police and taken to Larchgrove for two
22 days, before going back to Balrossie.

23 He says he hated Larchgrove, which was like a wee
24 jail. One weekend, when on home leave, William refused
25 to go back to Balrossie. Social workers tried to

1 physically drag him away, but William wrapped himself
2 around the couch, was crying and shouting to his mum
3 that he didn't want to go back because he hadn't done
4 anything wrong.

5 The police turned up and tried to drag him from the
6 couch, too. Eventually they gave up, and the police
7 told social workers that technically William was right
8 and the police couldn't get involved as William hadn't
9 done anything.

10 The social workers then told his mum that it was up
11 to her, and she told them to leave William where he was.
12 William remained at home for about eight or nine months.
13 However, he wasn't going to school and was glue sniffing
14 with a boy he met at Cardross. He ended up at
15 a Children's Panel and the panel decided he should be
16 sent to Devonvale Assessment Centre, Tillicoultry.

17 Secondary Institutions - to be published later
18
19
20

21 [REDACTED] William
22 was taken into the office at Devonvale and told that he
23 was going to Balgowan Approved School in Dundee. He was
24 13 years old.

25 From paragraphs 63 to 74, William describes his

1 experienced at Balgowan. He says Balgowan was a pretty
2 bad place. He and other boys were belted across their
3 bare bum so hard it took the skin off. Boys were
4 bleeding after being belted.

5 William and another boy were sexually abused by
6 a female member of staff. Some of the boys were doing
7 sexual things to each other in the dorms. William saw
8 this happening and was sure the staff must have known
9 what was happening, too.

10 Sometimes William did not return after home leave
11 and was given the belt for running away.

12 After 16 to 18 months at Balgowan, William was moved
13 to Kerelaw Residential School in Ayrshire. He was
14 14 years old.

15 From paragraphs 75 to 86, William speaks about
16 Kerelaw. William describes himself and other boys being
17 physically abused by one of the other teachers,
18 Matt George. He says that Matt George also had two boys
19 within the school who would batter other boys for him.

20 Moving now to paragraph 87, on page 21:

21 "I was only at Kerelaw for about three months
22 because I ended up running away with two other boys. We
23 stole a motor and I remember getting chased by the
24 police in Glasgow at 5.30 am. The guy that was driving
25 the car stopped and the three of us split up. I got

1 away and made it home to my mum's. The next thing I
2 know I was pick up by the police and taken to Falkirk
3 Police Station. A social worker came to see me at the
4 station and told me that the police wanted to interview
5 me in Kilmarnock for car theft. I was charged and went
6 to Kilmarnock Sheriff Court, just before I was 15. I
7 got remanded to Longriggend for three weeks. I then
8 went back to Kilmarnock Sheriff Court and pled guilty.
9 I was sentenced to two years as a convicted young
10 person. They put me in Longriggend for the next
11 five-and-a-half months.

12 "Longriggend Remand Centre was for boys under 21.
13 It was terrible. I had my own cell because of my age
14 and I was put down as a security risk because of my
15 previous running away. They called me an escapee.

16 "I had to take all my clothes off every night and
17 put them outside my door.

18 "In the morning, each side of the hall was woken up
19 separately, one 30 minutes after the other. We got
20 dressed into our prison uniform. They called the
21 uniform BDs, but I don't know what that stands for. It
22 was black trousers, a blue shirt and a brown jumper.
23 Then we had to slop out. We walked in a line to empty
24 our potties and get a wash. After that, we all ate
25 breakfast together in the dining hall. Then it was back

1 to the cell until lunch. After lunch, you had one hour
2 of exercise in the square. We just walked round the
3 square every day. Then you were in your cell until
4 dinner at 6.30 pm. After dinner, we were allowed to
5 watch TV in the dining hall until 8.30 pm. Then you
6 were in your cell until the next morning. It was
7 a prison and the routine was the same every day.

8 "The screws were rotten. They would come into our
9 cells to check for dust. They would take a hanky and
10 run it over the surfaces. If they found any dust or
11 dirt, they took you off recreation for a week. This
12 meant you didn't get any TV time after dinner. If they
13 didn't like you or you did something daft, they would
14 make you clean the floors. They would let you clean the
15 floor, then they would pour polish on it and make you
16 clean it again. The only screw I remember by name is
17 **GMQ**. I remember him because he punched me a few
18 times in the face when I was in my cell.

19 "I was in Longriggend for five and a half months. I
20 was 15-years-old when I left. A social worker came to
21 see me. I think his name was Mr Jamison. He told me
22 I was being moved to Geilsland Approved School. I don't
23 think he told me why I was being moved, but I was
24 transferred one week later."

25 From paragraph 92, William speaks about Geilsland.

1 Moving now to paragraph 99, page 24:

2 "I got home leave just before my 16th birthday and I
3 didn't go back to Geilsland after that. I ended up
4 getting into trouble and got charged by Falkirk police.
5 Geilsland wouldn't take me back because of the charge,
6 so I was remanded for three weeks to Longriggend. I
7 turned 16 while I was at Longriggend. I then pled
8 guilty and was sentenced at Falkirk Sheriff Court to
9 three months' detention. I was to serve my detention at
10 Glenochil, but a van took me to Barlinnie first. I was
11 put in the dog box for five or six hours and then put on
12 a bus to Glenochil that night.

13 "Glenochil was meant to be some kind of short, sharp
14 treatment. It was quite a shock to the system as it was
15 much rougher than the places I had been in before. I
16 knew it was going to be bad because I remember a boy
17 asking me to break his leg for him when I was in
18 Longriggend because he didn't want to go there. He
19 begged me to break his leg, so he would be taken
20 somewhere else. A lot of people were scared to go to
21 Glenochil.

22 "I only have vague memories of arriving at
23 Glenochil. I remember going through the reception area
24 and being given clothes. I was then taken to my cell in
25 B hall. It was a single cell with a bed, potty and

1 a wee cupboard.

2 'SNR [REDACTED] at Glenochil was a guy called
3 HEO [REDACTED]. They called him "HEO [REDACTED]". The
4 story was he'd actually slashed one of the prisoners. I
5 didn't see that, though.

6 "In the morning, a bell woke us up around 6.00 am.
7 We all had to stand to attention at our cell doors with
8 our potty and our towels over our arm. We had to say
9 'Good morning, sir'. Then we went down to ablutions and
10 shaved. It was the old style razors we used, the ones
11 where the razor blade screws in and out. The prison
12 officers gave us a razor, and once we were finished
13 shaving we had to give it back. I actually remember
14 a boy tanning his [REDACTED] beside me in the bathroom. He's
15 now a lifer from Edinburgh and I think he started the
16 prison riot in the 1980s. The prison officers rushed
17 over, grabbed him, and took him away. I don't remember
18 seeing him again.

19 "After we finished getting washed, we went back
20 upstairs and we had to put all our kit on our bed. The
21 officers would come in to do an inspection. They did
22 three inspections a day, one in the morning, one after
23 lunch and one before recreation at night. After the
24 morning inspection, we went down for breakfast. We had
25 to stand to attention beside the table until everyone

1 was in the dining hall. There was four to a table. We
2 had to lift the seat out from under the table in
3 a certain way and then sit down with our feet and knees
4 together. We weren't allowed to talk during breakfast.
5 We usually got eggs and bread, but for some reason we
6 weren't allowed to make a sandwich with it.

7 "After breakfast, we got changed into our boots,
8 because we marched everywhere. I remember the prison
9 officers saying, 'If you fall, fall to attention'. Then
10 we went to our workshops. I was a cleaner, so I was
11 kept in the hall and had to clean the stairs and the
12 landing every day. I did that seven days a week.

13 "We got a break at around 10.30 am to have a cup of
14 tea and a bit of bread with butter. We all had to face
15 the wall to eat and we weren't allowed to speak. We
16 would stand in the corridor and there would be about 12
17 of us facing one wall and 12 facing another.

18 "Dinner was the same routine as breakfast. We had
19 to stand to attention until everyone was in the dining
20 hall and sit in a certain way. Each table got up in
21 turn to march round to collect their food. By the time
22 the last table was collecting their food, the first
23 table had to be ready to get up and collect their second
24 course. We only got about two minutes to eat before we
25 had to get up again.

1 "After dinner we went back to our cells for another
2 inspection. Our cells had to be immaculate. They used
3 to get a hanky and put their finger on it and run it
4 over the surfaces in the room looking for dust. If they
5 found any, you were off recreation for seven days. That
6 meant you couldn't watch TV or play pool. You would
7 sometimes be given extra PT or made to clean a floor
8 tile with a toothbrush. If your cell was clean, you
9 could go to the recreation room from 7.45. There was
10 a TV, a pool table, and a couple of books. I was only
11 in the recreation room twice because I didn't like it.
12 I used to volunteer for a PT class. Most prisoners
13 thought PT was a punishment, but I thought it was
14 a godsend.

15 "We were made to run one mile every week. If you
16 didn't beat last week's time you were put on report, had
17 to go in front of the governor and lost five days'
18 remission. In those days, if you were sentenced to nine
19 months, you only served six. If you lost five days'
20 remission that meant you had to do six months and
21 an extra five days. It was the PT instructor who put us
22 on report and they classed it as laziness if we didn't
23 beat our time. When I first arrived someone told me not
24 to go flat out on my first week, so I could beat my time
25 the following week. Some boys didn't know and would fly

1 round the first week and end up on report for the second
2 week.

3 "I remember one prison officer called GMV. He
4 was an animal. There was a boy who was 16 or 17. I
5 don't think he should have been in prison, he needed
6 a different kind of help. He didn't know his left from
7 his right. He used to turn the wrong way when we were
8 marching and he got battered for it by GMV. GMV
9 would punch him a couple of times in the head.

10 "Another time, when we were lined up facing the wall
11 during break, this boy was trying to whisper to the boy
12 beside him. We weren't allowed to talk and I could see
13 GMV coming up behind him, but I couldn't warn the
14 boy. GMV kicked the boy to the tail bone. He really
15 swung the boot into him. I could see the pain in the
16 boy's face.

17 "Towards the end of my three-month sentence at
18 Glenochil a social worker, Mr Jamieson, came to see me.
19 He told me I still had nine months of my two-year
20 sentence to serve. He said that when I was released
21 from Glenochil I would get a gate arrest and be taken to
22 finish my sentence. I remember it was 1980 when I was
23 released and arrested at the gate. I went straight from
24 the detention centre at Glenochil to the young offenders
25 at Glenochil. It was a different part of Glenochil.

1 I was moved because you could only serve three months at
2 the detention centre.

3 "The young offenders part of Glenochil was entirely
4 different from the detention centre. There was much
5 more violence between the prisoners. There were two or
6 three slashings every day. The young offenders was full
7 of guys serving long sentences and lifers. I was
8 involved in a couple of fights, but I was never
9 seriously hurt.

10 "One of the things I remember about being in
11 Glenochil Young Offenders is that if you were put on
12 report the governor would have the officers take your
13 mattress out of your cell for up to ten days. You had
14 to sleep directly on the wooden board on the bed. That
15 happened to most people in there at some point.

16 "I was in the Young Offenders until I finished my
17 two-year sentence. I expected I would get remission,
18 but I didn't realise that because I was sentenced as
19 a convicted young person I had to do the full sentence
20 without remission. I served every day bar one. I was
21 17 when I left and went back to my mum's flat in
22 Falkirk. It was 1980. I wasn't home very long before I
23 got my borstal in 1981. I was caught joy riding in
24 Edinburgh and I was taken to Costorphine Police Station.
25 Two police officers battered me in the station. They

1 put a metal bucket over my head and battered it with
2 a truncheon. I don't know their names. I appeared on
3 a summary complaint at Falkirk Sheriff Court because
4 that's where the car had been stolen from. I was
5 remanded to Longriggend for background reports. I ended
6 up pleading guilty and was sentenced to two years'
7 borstal in Polmont.

8 "Polmont wasn't too bad. It sounds strange, but it
9 was actually one of the better sentences I did. I was
10 put into what we called the Alley cally, the allocation
11 alley, for six weeks and then moved to the west wing.
12 Some boys went to Castle Huntly, which was an open
13 prison, but I was kept at Polmont because it was easier
14 for me to get visitors as my family lived in Falkirk.
15 It might have also been because I was still classed as
16 an escapee.

17 "The daily routine was just the usual. We got up,
18 washed, had breakfast and then went to our workshops.
19 They had textiles', joiners', mechanics', brickies' and
20 welders' workshops. I was put into a stonemasons'
21 workshop, but I ended up the kit boy in the hall. That
22 was pretty much the best job. I issued kit to the new
23 prisoners. The routine wasn't anywhere near as
24 regimented as Glenochil.

25 "We got an hour's exercise in the afternoon, then we

1 went back to our workshops. At night we were locked up
2 between five and six while the officers went way for
3 a cup of tea. After that we got recreation. I played
4 a lot of table tennis, but you could also go to the gym,
5 watch TV or play pool. They had books to choose from
6 and I remember reading quite a lot. We were back in our
7 cells for the night by about 8.45 pm.

8 "After a while I was made a trustee, so I could go
9 outside. I actually did a 30-mile run for charity from
10 Polmont to the Forth Road Bridge and back. I never ran
11 away from anywhere after I was 16 because I knew if I
12 did I would just get another two-year sentence.

13 "I was released from Polmont in 1981, when I was
14 18 years old. I remember the date [REDACTED]

15 [REDACTED]
16 [REDACTED] I was totally unprepared for life on
17 the outside, and now that I was 18 I was classed as
18 an adult.

19 "After leaving Polmont, I was in and out of prison
20 constantly. I couldn't last more than six weeks on the
21 outside. I wasn't a violent guy, but I'd get put away
22 for crimes of dishonesty. I think the longest sentence
23 I did was 30 months. I've never had a job in my life
24 because I've spent the best part of 26 years in prison.

25 "There was absolutely no social worker involvement

1 while I was in Polmont and none when I left. It was
2 really difficult because I had no school qualifications
3 and social work didn't even try to help me find a job.
4 I think that's part of the reason I just kept
5 re-offending. During one of my sentences in Barlinnie I
6 got my football coaching certificate and my PTI coaching
7 certificate, but I've never had the chance to use them.

8 "Not long after I was released from Polmont I met my
9 partner of 42 years. She was the best thing that ever
10 happened to me, but unfortunately we are no longer
11 together. We have two children. My son is 34 and my
12 daughter is 24.

13 "My experience with the care system has ruined my
14 life. I started sniffing glue when I was just a boy and
15 I started smoking cannabis when I was 17. I ended up
16 with a heroin habit for 21 years. I was 34 years old
17 when I first touched heroin. At one time, I was
18 absolutely terrified of it, but I always thought that
19 you could only get addicted by injecting it. I've never
20 done that. The first time I took heroin was in
21 Barlinnie, a boy gave me a few lines and I smoked it.
22 Within a few weeks I was hooked. When my habit was at
23 its worst, on the outside, I could spend 200 to 300
24 pounds a day on heroin.

25 "I've been off drugs for two years now and I am on

1 a methadone and valium prescription."

2 Now to paragraph 128:

3 "I've always said if my dad hadn't died I would have
4 had such a different life because I wouldn't have ended
5 up in care."

6 Now to paragraph 130, on page 32:

7 "I've never really spoken to anyone about my time in
8 care other than the psychologist, but I didn't tell her
9 everything. Speaking to the Inquiry is the first time
10 I've told someone everything that happened to me.

11 "I haven't requested any of my records so far, but
12 I would like to see them. I did contact Future
13 Pathways, but apparently I'm in a queue for them to help
14 me. I've never sought compensation and I didn't even
15 claim my slopping out money.

16 "When I was a young boy, if a judge had given me the
17 choice between prison or the Army, I would have chosen
18 the Army and I could have made something of myself.

19 "I think there needs to be more support and guidance
20 for the kids within the care system. No one ever sat
21 down and spoke to me about why I was there. No one ever
22 had a conversation with me when I started to go off the
23 rails. There was just no one looking out for my
24 welfare. There was no one there to offer support when I
25 eventually left the care system. I honestly think if

1 someone had been there to talk to me, to guide me, or
2 intervene when my life started going downhill things
3 could have worked out very differently for me.

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

6 I believe the facts stated in this witness statement are
7 true."

8 William signed his statement on 19 July 2022.

9 LADY SMITH: Thank you.

10 MS RATTRAY: The next statement we have is also from
11 an applicant who is anonymous and has a pseudonym
12 'Lindsay' and his statement is WIT-1-000001062.

13 'Lindsay' (read)

14 MS RATTRAY: "My name is 'Lindsay'. I was born in 1954. My
15 contact details are known to the Inquiry."

16 From paragraphs 2 to 28, 'Lindsay' describes his
17 life before care. He lived in Aberdeen with his parents
18 and five siblings. One of his older brothers died at
19 the age of four months. Another of 'Lindsay's'
20 brothers, who was five years older than him, was killed
21 in an accident when he was 20. His death had a huge
22 impact on the family.

23 His dad was self-employed and his mum looked after
24 the children. 'Lindsay' says up to the age of four it
25 was a good life. There was nice furniture in the house

1 and things were good. As he got older things sort of
2 deteriorated. He said his dad was involved in a
3 horrendous vehicle accident when 'Lindsay' was in his
4 first year at primary school. His dad was in hospital
5 for about nine months and was permanently disabled and
6 his mum was just a wreck.

7 His dad did get back to work, but not after
8 two years. Things became terrible. There was no food.
9 His mum had to go out to work and would be out working
10 from 1.00 pm to 11.00 pm. Sometimes the only food
11 'Lindsay' got was school lunches. 'Lindsay' says it was
12 real poverty, but his dad had a car. The only car in
13 the street. They didn't have anything else, but they
14 had the car.

15 'Lindsay' said he initially did well at primary
16 school, but that changed as the teachers changed. Some
17 teachers helped, but not all.

18 'Lindsay' says that his uncle and his mum physically
19 abused the children. His mum regularly hit them with
20 pokers and things, and it was just normal to get beat up
21 by her. She was horribly violent and just liked to
22 inflict pain.

23 'Lindsay' says things got worse at home and at the
24 secondary school he attended. He stopped going to
25 school when he was 15. After his older brother was

1 killed in 1970, 'Lindsay' started to get involved in
2 trouble with the police.

3 Just little scrapes to start with, but then he was
4 caught joy riding when he crashed the car. He also
5 stole tools from school and ended up in court, where he
6 was given probation. He was allocated a social worker
7 for the first time, but never got on with him.

8 As well as probation, he was sent for psychiatric
9 reports, but didn't turn up. The juvenile court then
10 told him that if he wasn't going voluntarily then he
11 would be remanded to Kaimhill Remand Home.

12 'Lindsay' thinks they wanted psychiatric reports
13 because they wanted to send him to an Approved School.
14 'Lindsay' also says that he tried to kill himself when
15 he was 15, after his brother was killed.

16 From paragraphs 29 to 55, 'Lindsay' speaks of
17 experiences at the Kaimhill Project, Aberdeen. He was
18 there for about two weeks. **Secondary Institutions - to be published later**

19 **Secondary Institutions - to be published later**
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Secondary Institutions - to be published later

Secondary Institutions - The court decided he was going to an Approved School and he was remanded to Craiginches Prison, Aberdeen.

From paragraphs 56 to 75, 'Lindsay' speaks about the time he spent in Craiginches Prison. He says he now understands there was a protocol that they should have followed when dealing with young people. However, he says they didn't follow that and put him in the remand block along with adult prisoners.

He said it was absolutely horrible and very intimidating. He was in the same area as a convicted murderer who was after sexual favours and that was absolutely terrifying.

Somebody realised that they'd messed up and 'Lindsay' was segregated after four or five days.

Now to paragraph 74, on page 14:

" [redacted] was a convicted prisoner and he basically had the free range of the remand hall, which I was in. He had been there a long time and he was in the remand block on the ground floor and his cell was open all the time, all day. He was like part of the furniture and had a lot of influence there.

"Sometimes when I was in the end cubicle in the

1 toilets, [REDACTED] would come in, but arrange to have
2 someone watching outside. He would come up to me and
3 try and influence me. He would ask me if I knew what
4 happened to boys like me in a place like that. And
5 I don't know if it was just threats to scare me or if it
6 was intentional. It never came to him actually doing
7 anything to me, but I did have the feeling that if I was
8 willing to go along with it then he might have done
9 something.

10 "The whole experience was very intimidating and
11 frightening. He did it a couple of times to me and to
12 other boys."

13 'Lindsay' says he'd only been released from
14 Craiginches for three weeks before he got into bother
15 again, taking lead pipes from old buildings. The
16 Juvenile Court sent him to Rossie Farm school. It was
17 1970 and 'Lindsay' was 15.

18 From paragraphs 79 to 138, 'Lindsay' speaks of his
19 experiences at Rossie Farm. At paragraph 86, page 17,
20 'Lindsay' says:

21 "I was introduced to the Aberdonian corner who were
22 all skinheads from Aberdeen and there was I was, the
23 little brother of a boy who used to go about Aberdeen
24 fighting the skinheads. I was just meat in there and
25 I was horrendously abused by the other boys from

1 Aberdeen when I was in Rossie Farm. It was even backed
2 up by certain members of staff."

3 The abuse was physical and 'Lindsay' was beaten by
4 other boys and sometimes with staff watching over, who
5 didn't do anything to prevent it.

6 Eight weeks after 'Lindsay' arrived, one boy
7 attacked him with a razor and cut him across the chest.
8 'Lindsay' was bleeding and it left a scar. He says
9 there was no point in reporting it, as there would have
10 been reprisals. He just dealt with the cut himself.

11 He also said that Mr LLY , SNR , and
12 Mr LLZ , SNR , treated some of the boys
13 horrifically at Rossie. 'Lindsay' ran away twice.

14 Moving now to paragraph 139, page 27 where 'Lindsay'
15 describes leaving Rossie Farm:

16 "I got a letter when I was at Rossie that told me
17 when my case would be reviewed by the Children's Panel.
18 It told me they would look at my case and make
19 a decision about whether I was getting let out or was to
20 stay and do extra time. In 1971, I didn't get out, but
21 then I got the letter telling me I was going to the
22 Children's Panel in 1972 when I did get out.

23 "I remember going to that panel and it was a relief
24 to get out and get back home, but it was just part of
25 the cycle, out of the frying pan and into the fire. My

1 social worker, Mr Emslie had moved on through
2 ill-health, so I was allocated to another social worker
3 as I was still under their supervision. His name was
4 **HYQ** and he was a little shit. I knew him from
5 Rossie Farm, where he'd been doing some of his training.
6 I feel he was after sexual favours. He would say he
7 could be your friend and if you played ball with him, he
8 would play ball with you.

9 "I just didn't feel comfortable around the guy. He
10 would try to get on my good side and other boys' good
11 sides and I just feel he was after something. I didn't
12 like him and had nothing to do with him, and that's why
13 I ended up not going to see him after Rossie.

14 "I was 17 then and first I got a job with my brother
15 in his garage, a pound a day, just as a general
16 dogsbody, so that was going nowhere. I didn't stay
17 there long. I didn't go to see my social worker either.
18 That was meant to be once a week. I stopped going, so
19 there was a warrant out for me after that as well.

20 "I went to Jersey after that and didn't come back to
21 Aberdeen until I was 18, when I knew they couldn't touch
22 me. Then I got in trouble again and ended up in borstal
23 at Polmont.

24 "I was sent to Polmont borstal for six weeks. It
25 was a hard place and some of the staff in there were

1 real animals. It was a horrible regime. There was also
2 conflict between staff members. The bullying with other
3 boys wasn't as bad, but I was a lot longer in the tooth
4 by then. I had been through a lot and I also knew a few
5 of the boys who I had met at Approved School.

6 "I remember the first place I was taken was the
7 allocation wing. That was based on army detention,
8 which was a very strict regime. It was physically very
9 hard. The last thing you take off at night was your PT
10 shorts and they were the first thing you put on when you
11 got up again in the morning.

12 "It was also very strict at Polmont. Your room had
13 to be immaculately presented. Your clothes had to be
14 all folded to a certain size, your bedsheets had to be
15 folded correctly and made into a bed block of a perfect
16 size. If it wasn't, then you got hit with a stick. The
17 stick was supposed to be used to help you measure the
18 bed block, but it was used to hit the boys that got
19 their bed blocks wrong. The staff had the stick, not us
20 boys, so it was impossible to fold the sheets to the
21 exact size, and if they weren't the right size you were
22 being hit with it.

23 "The bed block would be swept off the bed for you to
24 do again and you'd be hit over the head or poked with
25 the stick. If there was any dust anywhere in your bed

1 area, you would also get a whack with the restrict.

2 "GQJ [REDACTED] was the officer who was the worst for all
3 that. I'll never forget him. I don't know his second
4 name. A lot of people who went to Polmont will remember
5 GQJ [REDACTED], but in general the rest of the staff were
6 bastards as well.

7 "Another thing they had all us do was the bunny
8 hops. It was like a severe form of torture we would get
9 at the gym. The first time I went to the gym the
10 officers made you do a set of exercises, as many as you
11 could, like press-ups and sit-ups and you all did as
12 many as you could in a minute or two. That was then
13 written down. We did circuit training nearly every day,
14 and after six weeks you had to do the exercises against
15 the clock again. If you hadn't improved or cheated, you
16 stood to the side, and once there was enough boys
17 standing aside you all got punished with the bunny hops.
18 You crouched down and did bunny hops round and round the
19 gym and that was so painful.

20 "I remember the swimming instructor. I've actually
21 seen photographs of him with Prince Philip when he was
22 visiting, but the instructor made you put your head
23 under the water whenever you were swimming. He would
24 always shout at any boy who didn't have their face in
25 the water when swimming - 'I don't know what kind of

1 shite is in the water in the pool at your place, but get
2 your face in the water you piece of shite.' He was
3 always degrading you and screaming at the boys.

4 "We were made to march at double time and then halt.
5 If we didn't all halt together at the same time, we were
6 told to do it again. We had to do it all at the same
7 time or we would have to do it again and again, and if
8 we didn't get the timing right we were all sent to your
9 cells and had to put on every bit of kit that you had,
10 your PT kit, your dress kit, your work kit, everything,
11 and then your battle dress on top of it all. We then
12 had to go back and march again wearing all this kit.
13 Guys were collapsing and everything, beyond tired,
14 sweating and everything. That was the regime. That was
15 expected of all the boys all the time.

16 "I was at Polmont for six weeks and then I managed
17 to get myself to Castle Huntly Open Borstal in Dundee,
18 which was great.

19 "When I was in Polmont in the allocation unit I met
20 a nice young lady who was one of the social workers
21 there. I told her all about my experiences with the
22 social worker and how I'd been treated, that my
23 social worker, Mr HYQ [REDACTED], had it in for me. I had to
24 put in an application to go to Castle Huntly Open
25 Borstal and HYQ [REDACTED] had put the boot in to try to stop

1 it. But that young lady stood up for me and it was
2 because of her I got to open borstal. I can't remember
3 her name.

4 "I was 18, turning 19 at Polmont and then I was
5 about eight months at Castle Huntly."

6 My Lady, I will read this in order to contrast
7 Castle Huntly with Polmont. It's only three paragraphs.

8 LADY SMITH: Thank you.

9 MS RATTRAY: "Castle Huntly was brilliant. I picked up
10 a City & Guilds First Year Engineering Certificate
11 there. It had a brand new engineering shop. I did six
12 weeks of turning and six weeks of welding. I did
13 electrical and mechanical training and I went on to use
14 all that later in life.

15 "It was the only place I went to where there was any
16 opportunity to prepare myself and educate myself for
17 life after I got out.

18 "Castle Huntly was a great place and was run
19 beautifully. I'd put my hands up and say if you want to
20 know how an institution should be run, then look at
21 Castle Huntly. They absolutely had it right. I think
22 it was a Mr Philips that was the governor and he was
23 absolutely brilliant. It did what they said it would
24 do. You were there for training and you were there for
25 help and that's exactly what you got.

1 "The social worker in there was a darling as well
2 and couldn't go enough for you. I forget her name, but
3 she was an older foreign lady and she helped so many
4 people in there.

5 "When I got out of borstal I did some engineering
6 work, turning and things like that. But I still had my
7 problems. I didn't go to see my social worker,
8 HYQ, yet again and I ended up getting a borstal
9 recall and going to Barlinnie to serve time. That was
10 in the young offenders unit, so I was in Barlinnie until
11 I was 21.

12 "I was in and out of trouble after that."

13 Now to paragraph 161:

14 "I was in prison for last time in 1998. I served
15 three years, got out in 2001, and I haven't put a foot
16 wrong since then."

17 From paragraph 162, 'Lindsay' speaks about impact.
18 He thinks about what happened to him every day. His
19 experiences have affected his mental and physical
20 health, his relationships and his education. He says at
21 paragraph 165, on page 32:

22 "As an adult looking back, when I first went to
23 Juvenile Court, why didn't anyone say, 'This boy has
24 just lost his brother', and look at what might have been
25 the reason for my behaviour?"

1 Moving to paragraph 175, on page 34:

2 "I think it's a complete disgrace to lock children
3 up in places like Craiginches. I should never have been
4 sent there and put in the area I was in. I never knew
5 anything about crime until I was sent to the places like
6 that. I was misguided and a bit off the rails, but I do
7 think I could have been helped and shouldn't have been
8 sent to such places."

9 Now to paragraph 177:

10 "The guys that were looking after me and other boys
11 in the places I was could do what they liked. They
12 weren't answerable to anybody. There were no cameras or
13 anything like that.

14 "Nowadays they have to help people. They have to
15 identify the problems and then help them, not punish
16 them. Every place I ever went to I was told
17 categorically that I had no rights. Having a bed was a
18 privilege. When you're in prison, if you do something
19 wrong your bed is taken from you because it was
20 a privilege. It's not a privilege. It's a right. You
21 have a right to sleep. To live is a right, to be
22 a human being, to exist and be treated with respect and
23 dignity, and that just didn't happen.

24 "They were taking people and destroying them, so
25 they couldn't have a life. They need to listen to

1 people and help them."

2 To paragraph 182:

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

5 I believe the facts stated in this witness statement are
6 true."

7 'Lindsay' signed the statement on 30 August 2022.

8 LADY SMITH: Thank you.

9 MS RATTRAY: My Lady, I do have more read-ins, but my
10 colleague, Ms Forbes, also has read-ins, so perhaps
11 we'll have a change of voice.

12 LADY SMITH: Should we just take a short break now? I know
13 we haven't been going a full hour, but if we took a
14 short break and run through until about 4 o'clock
15 possibly after that.

16 (2.58 pm)

17 (A short break)

18 (3.07 pm)

19 MS FORBES: Good afternoon, my Lady.

20 The next statement is a read-in from an applicant
21 who is not anonymous and his name is Brian Heron.

22 The reference for his witness statement is
23 WIT.001.001.0786.

24 Brian Heron (read)

25 MS FORBES: Mr Heron gives us some background at

1 paragraph 3. He was born in [REDACTED] 1957. [REDACTED]

2

3

4 he tells us about his life before going into care,
5 between paragraphs 4 and 9.

6 He says that he was brought up in Gibs Hill,
7 Greenock. His parents separated when he was about nine.
8 His mother went to live in Edinburgh and his father was
9 left with the care of him [REDACTED].

10 His father was in the Merchant Navy and would farm
11 he [REDACTED] out to different relatives when he
12 was at sea.

13 After his mother left, he started getting into
14 trouble and Social Services became involved. He was
15 involved in petty crime and being a member of a local
16 gang. He had issues with school as well. No one was
17 able to manage him. He went to stay with his father's
18 sisters, an uncle and an elderly relative, but there was
19 not much room in a two-bedroom flat.

20 He would also sometimes stay at his father's house.
21 His father had rented it out and one of the conditions
22 was that the lodgers allowed him to reside at the
23 address in his own room. He was about 15 when he had
24 a fallout with one of the lodgers and she slapped his
25 face.

1 He ran away and stayed in various places, like
2 pigeon lofts and sheds. He would also sometimes stay at
3 his girlfriend's house, as she would sneak him in. He
4 was homeless for about a month before he was reported to
5 the police for acting suspiciously. He was taken to the
6 police station and recalls how the young constable could
7 not believe that he had not been reported as missing.

8 When he was 15, he got into trouble. He was with
9 a group of kids in a cafe when a rival group came in.
10 It ended up with his group assaulting them and chasing
11 them off. One of the rival group was caught and beaten
12 up. They were all arrested and it was decided that he
13 and a co-accused would take the blame and plead guilty
14 at court.

15 He says they knew they would end up in residential
16 care. He was sentenced at Greenock Sheriff Court to
17 a year in Geilsland List D School and he talks about his
18 time at Geilsland between paragraphs 12 and 66.

19 He was 15 when he first went there. He talks about
20 there being a lot of marching. It was more a vocational
21 school than an educational establishment, and he wanted
22 to concentrate on becoming a stonemason.

23 When he turned 16, he was able to do work out and he
24 went to work for a local trader, which was a haulage
25 company. There was a short spell when he broke his

1 ankle and couldn't work, but went back to work with them
2 when his ankle healed.

3 He remembers at Geilsland there being an annual
4 black and white minstrel show that the school put on for
5 the local community. There were a couple of occasions
6 he didn't go back to school after leave. On one
7 occasion his friend negotiated his return, and staff
8 came and picked him up. On another, he was brought back
9 by the police after being picked up near his house and
10 that was one of the reasons he didn't get Christmas
11 leave.

12 Whilst at Geilsland he experienced physical assaults
13 from staff, and in particular SNR [REDACTED],
14 EZD [REDACTED], who he describes as having a bullying and
15 intimidating nature.

16 There was also corporal punishment in the form of
17 a belt, inappropriate conduct and humiliations and
18 emotional abuse. There was an atmosphere of fear.

19 He tells us what happened after leaving Geilsland
20 between, paragraphs 67 and 69. He went back to Gibs
21 Hill and stayed with his aunt. But his aunt's house was
22 overcrowded, so he went to live in his father's house
23 again.

24 He had a job as a van boy and then got a job as
25 an apprentice at the shipyards. But he felt like that

1 was like being back at school and he didn't like the
2 classroom atmosphere. He was paid off for poor time
3 keeping.

4 He was then charged with two separate breaches of
5 the peace for which he was issued fines. He didn't pay
6 the fines and, ultimately, he was arrested on a warrant
7 and taken to Barlinnie.

8 He tells us about his time at Barlinnie. If I can
9 go to his statement then, to read from paragraph 70,
10 just before the Barlinnie section:

11 "I was arrested at my house by the CID. They
12 searched my father's house. They found two clocks and
13 an air pistol, which they took possession of. I was
14 interviewed about them, but they put them back into my
15 property at the jail. They told me that they, the CID,
16 would be waiting for me when I was released. I don't
17 know why I believed that, but I did."

18 He then talks about his life at Barlinnie from
19 paragraph 71:

20 "I was about 17-and-a-half when I entered Barlinnie
21 prison for non-payment of two fines amounting to £55.
22 I was sentenced to 55 days in jail, which was the
23 equivalent of one day for every pound due. I served my
24 time in the young offenders wing of the prison. The
25 Young Offenders Unit housed boys aged between 16 and 21.

1 "I recall my first day in prison in A hall, which
2 was the Young Offenders Unit. I recall someone mopping
3 up blood off the floor as earlier an inmate had jumped
4 from one of the balconies. There was someone cutting
5 hair. There was an air of high excitement over the
6 person who had jumped off [REDACTED].

7 "I was put into a cell on the second floor and
8 shared with other guys. The cells were made for two,
9 but there were four of us in the cell. The walls were
10 all covered in graffiti and I recalled scratching
11 "Hernie from Gibby" on the wall under the bed. It was
12 my name from the gang in Gibs Hill. I was caught when
13 they moved the bed. I could have been in real trouble,
14 but all I got was a slap.

15 "There were communal showers on the wing and you had
16 to stand in a queue and take your turn. There was
17 an 'in' and 'out' door that took you through the
18 showers. There were always two prison officers on duty
19 there. I remember wondering why some of the prisoners
20 were going in and out very quickly and sort of jumping
21 out the exit door. I realised it was because the prison
22 officers were turning the heat up in the showers,
23 causing the prisoners to be scalded and thus to be in
24 and out the showers more quickly. It was another
25 example of the type of regime that operated.

1 "I shared a cell with a guy called [REDACTED]. One night
2 [REDACTED] was at our cell window and was having
3 a conversation with another boy called [REDACTED]
4 who was in a cell on the floor above. I was asleep and
5 didn't know anything about it. When they came to open
6 up in the morning, the prison officers were all lined
7 up. They made me walk into an empty cell two doors
8 down. There was a senior prison officer in the cell.
9 He had his hat on the back of his head. I thought that
10 he was going to headbutt me. He started to question me
11 about speaking out of the window, which I knew nothing
12 about, as I had been asleep. I tried to tell him this,
13 but he started to attack me. I went under a bunk bed in
14 the cell and curled up. He was kicking me. He had
15 difficulty making contact with me.

16 "The prison officer then let me leave the cell.
17 I had to run the gauntlet of prison officers back to my
18 own cell. They all kicked me as I made my way there. I
19 also heard it happening to [REDACTED]. The strange thing was
20 it reminded me of a ritual that was held at my school,
21 when the new boys came up from primary school to
22 secondary school. The new secondary boys had to run the
23 lines as it was known. They were similarly kicked by
24 the secondary school boys as they ran the gauntlet.
25 There were a lot of incidents involving other prisoners

1 but did not involve me.

2 "There was a day when we were outside in the
3 exercise yard and one of the prisoners tried to escape
4 by getting on to the prison roof. The procedure then
5 was for all prisoners to be returned to their cells.
6 [REDACTED] and I lay down on our beds. At that time there
7 was a practice where you were required to make your bed
8 up in the morning and leave the top quilt in a certain
9 manner, either folded up or down. The prisoner was
10 caught and we returned to work. On our return, we were
11 aware that there was to be a showing of Enter the
12 Dragon, which was a martial arts film. When the time
13 came to go to see the film our cell door wouldn't open.
14 We used the buzzer in the cell and the prison officer
15 that came informed us that we had not made our beds up
16 correctly. He gave us a bucket of water and brushes and
17 told us that if we cleaned the cell we would be able to
18 go to the film. The prison officer did not return after
19 we had cleaned the cell and so we again rang the buzzer.
20 The prison officer returned and we told him that we had
21 completed the task. He then kicked over the bucket
22 which spilled water all over the floor. There was no
23 drain. It took a while to clean it up. We managed to
24 do this, but the prison officer did not come back. The
25 next thing we heard was the other boys returning from

1 the film. It was just typical of the abusive behaviour
2 we were being subjected to.

3 "I remember one boy cutting his throat in his cell.
4 His cellmate was going frantic and was shouting for the
5 prison officers. They were taking a while to arrive as
6 it was a Sunday and they were short staffed. Bizarrely,
7 the rest of the boys on the wing were shouting for the
8 boy to die. I remember seeing the boy when he got out
9 of hospital and had a big scar on his neck. There was
10 a lot of self-harm as the boys found it hard to cope
11 with the length of their sentences in jail.

12 "The prison officers advised the inmates in the
13 scrap workshop that there was a beast being admitted.
14 A beast was a sex offender. Sex offenders were not
15 popular and rumours circulated as to what he had done,
16 which included child murder. A prison officer whispered
17 into the ear of one of the inmates that he was being
18 brought in now. I could read the body language and knew
19 what was going to happen and how it had been
20 orchestrated by the prison staff. He was brought to our
21 works table and when he arrived we all just stared at
22 him. One of the other boys at a different table threw
23 a piece of metal, which hit him on the head. I remember
24 watching the blood trickle down his face. One of the
25 boys at our table burst into tears and told the boy that

1 he had better go on protection. He was then taken away
2 by the prison officers. The last time I saw him he was
3 cleaning up excrement from the prison yard where it had
4 been thrown from the cell windows. He was accompanied
5 by a prison officer.

6 "While I was working in the scrap metal workshop I
7 cut my finger. I went to the prison sick bay to try to
8 get treatment. I don't know who tended to me, but they
9 asked me when I was going to be released. I told them
10 I was due out the next week. The medic told me that I
11 should go and see my own doctor on my release. I went
12 to the accident and emergency department at Greenock
13 Royal Hospital. They kept me in overnight and I was
14 treated for a septic finger. I still bear the scar.
15 The finger was already poisoned when I saw the medic in
16 prison and I feel I should have been treated there and
17 then.

18 "There was a prison officer who took a dislike to
19 me. Every time that officer would come across me, he
20 would kick me in the lower legs. On the day I was being
21 released, I was walking from the middle landing to the
22 lower landing on a narrow staircase. The prison
23 officer, whose name I cannot remember again, kicked me.
24 I recall thinking: why did he do this? Who could I
25 tell? Who would believe me if I reported it?

1 "It was a helpless situation which reflected the
2 hopelessness of my position.

3 "Barlinnie Prison was like any other prison and I
4 completed my sentence and was released

5 "You have to be aware, we were children in a prison
6 environment, where we were being treated like hardened
7 adult prisoners. A lot of the boys found the situation
8 very hard to deal with.

9 "My cellmate, ██████, got out of jail before me. In
10 the cell we had a draught board with no draughts. On
11 the eve of his release, ██████ cut all the buttons off
12 his prison clothes and we used them for draughts. The
13 funny thing was that the prison staff thought it was
14 some sort of symbolic gesture and would check the
15 clothing of all the prisoners being released. It was
16 nothing more than providing replacement draughts.

17 "When I was released from jail the two clocks and
18 the air gun was returned to me. I remember being on the
19 bus home and finding myself in possession of an air gun.
20 I plonked that air gun under seat of the bus and I left
21 it there. I was paranoid about being arrested again.

22 "I went back home and was hanging around with the
23 local gang. I was staying at my father's house. It was
24 during this time that some of my mates were involved in
25 an assault. I was arrested along with them, even though

1 on this occasion I was not there and had nothing to do
2 with it. My mates tried to tell the police this, but
3 they wouldn't listen. I was remanded in Longriggend
4 Prison prior to the trial."

5 He then talks about his time at Longriggend from
6 paragraph 86 onwards:

7 "I spent a month at Longriggend on remand. The only
8 incident that happened to me was when I was in a meeting
9 with the other boys and one of the prison officers
10 caught me whispering to one of the other boys. As we
11 were filing out of the meeting, the prison officer
12 kicked me so hard with his prison issue boots that it
13 nearly crippled me. To this day I still don't know if
14 I'm permanently damaged.

15 "I remember that if you contracted head lice or
16 scabies while you were in jail they would shave your
17 hair. There were three of us who were strangers to each
18 other. The doctor got us to strip naked and paint
19 a solution on each other. Scabies and head lice were
20 common where I lived. The prison doctor seemed nice
21 until after he had finished treating us and we were
22 leaving his office and he shouted after us, 'There goes
23 some more manky bastards'. It was very demeaning.

24 "The rest of the stay at Longriggend was like any
25 other prison regime and nothing of note happened."

1 He then talks about his life after leaving
2 Longriggend, in paragraphs 89 and 93.

3 In summary, my Lady, when he left Longriggend, he
4 did voluntary work with local youth clubs in Gibs Hill.
5 He got involved in youth communities and became a youth
6 leader. He stopped hanging about with gangs, learned to
7 play guitar and became a roadie for a local band and
8 then joined them as a guitarist. He got married when he
9 was 22 and moved Port Glasgow and had four children.

10 He had a job as a janitor for the church for
11 a number of years, and he went to college and passed
12 some exams. He joined the Children's Hearing Panel. He
13 went to Jordanhill College and studied for a social work
14 qualification, which he obtained in only two years.
15 Then he worked as a social worker for 14 years.

16 He ultimately ended up in his current position as an
17 employability tutor in social care.

18 He talks about impact from paragraph 94. Most of
19 this relates to EZD and his time at Geilsland
20 and the learning points for the future and other
21 information from paragraph 111, which again relate to
22 his time at Geilsland.

23 If I can go then to paragraph 119, he states at the
24 end of his statement:

25 "I have no objection to my witness statement being

1 published as part of the evidence to the Inquiry.

2 I believe the facts stated in this witness statement are
3 true."

4 He signed that and it's dated 16 March 2017.

5 LADY SMITH: Thank you.

6 MS FORBES: I have another, my Lady.

7 LADY SMITH: Let's move on.

8 MS FORBES: My Lady, this statement is from an applicant who
9 is anonymous and wishes to be known as 'Ray'.

10 The reference for his statement is WIT.001.003.0771.

11 'Ray' (read)

12 MS FORBES: 'Ray' was born in [REDACTED] 1960 and tells us

13 about his life before going into care between
14 paragraphs 2 and 3. He had two older brothers and one
15 younger sister. He lived in a maisonette in Parkhead,
16 Glasgow.

17 He doesn't remember much about his dad. His
18 grandmother came to the house, though, to help his mum.
19 He remembers going to hospital one time in an ambulance,
20 when he was smashed in the head from someone.

21 In 1966, his mum died of a brain haemorrhage and his
22 dad couldn't cope. Next thing he knew he was in Smyllum
23 Orphanage with his brothers and sister. He talks about
24 Smyllum between paragraphs 5 and 41.

25 At Smyllum he suffered and witnessed physical abuse

1 from members of staff and witnessed force feeding. He
2 tells us that violence there was an everyday occurrence.
3 They were told that they were leaving Smyllum a week
4 before and it turned out his dad had remarried whilst
5 they were in Smyllum and they then went to stay with his
6 dad and his stepmother.

7 He was nine-years old at that time, and he went with
8 his brother and sister. He didn't get on with his
9 stepmother. He went to school, but couldn't cope,
10 rebelled and ran away. He had a female social worker
11 who he would see. She told him to go and stay with his
12 paternal grandmother and gave him the bus fare, and he
13 went to stay with his grandmother when he was nine-years
14 old.

15 However, he became unruly and got mixed up with
16 gangs, broke into shops and stole cars. He started
17 staying out and sleeping rough. He was stealing milk
18 and rolls from doorsteps, stealing from shops and
19 breaking into shops. He was caught by the police and
20 went to the Children's Panel. He says that his
21 grandmother went to the panel with him and, even though
22 she loved him, she couldn't cope.

23 The panel took the decision to put him in
24 Calder House.

25 Calder House was a secure home, he tells us, and he

1 talks about his time at Calder House, from paragraph 47.
2 He was nine-years old when he went there. He was only
3 there for three months. There were dormitories. It was
4 a strict regime. If you stepped out of line, there were
5 consequences.

6 He remembers experiencing physical abuse by staff,
7 which caused injuries and drew blood. And he remembers
8 hearing another boy being battered and seeing his
9 injuries. He was then sent to St Ninian's School,
10 Gartmore. He tells us about that between paragraphs 69
11 and 119. This was run by the De La Salle Brothers. He
12 was now ten years old by that time.

13 Whilst he talks about some of the Brothers who were
14 nice and good blokes, there were also civilian staff who
15 were bullies and one who molested boys. He got given
16 a number and that was sewn into his clothes. They slept
17 in dormitories there and he remembers there being a lot
18 of recreation and activities.

19 But whenever he was let home for the weekend, he
20 wouldn't come back. He would steal a car, be caught and
21 be brought back by the police. As a result, he ended up
22 not getting home at the weekends and holidays.

23 He had been at St Ninian's for about three months
24 when he tried to take his own life. He was only ten
25 years old at that time. His thinking was that if he did

1 that he would be able to see his mother again. He talks
2 about physical abuse by the Brothers and the civilian
3 staff, as well as sexual abuse.

4 He went to the Children's Panel again just after his
5 13th birthday and he went straight from the panel to
6 stay with his grandmother. He started mixing with the
7 wrong people again. He was stealing, running away, and
8 staying out overnight. When he was 13-and-a-half he was
9 sent back to the panel and he was put into St Philip's
10 for a short period of time.

11 He talks about his time at St Philip's between
12 paragraphs 125 and 134. The staff at St Philip's were
13 all civilian, he tells us, and it was more relaxed than
14 Calder House or St Ninian's. He was there for about six
15 to eight weeks, at the beginning of that summer, he was
16 still 13-and-a-half. There was no discipline there for
17 doing anything wrong.

18 The temptation was to run away. He and another lad
19 ran away to Glasgow together. He was sleeping rough and
20 stealing to survive. He was caught by the police, who
21 contacted the social work. St Philip's said they didn't
22 want him, so he went back to the panel and was sent to
23 St Joseph's, in Tranent.

24 He talks about St Joseph's from paragraph 137. He
25 was 14 years old at that time. He was there for a few

1 months. One of the civilian members of staff from
2 St Ninian's, who had been abusive there, was there and
3 he ran away.

4 He slept in dormitories again at St Joseph's. Boys
5 were of a similar age, 13 and 14 years. There was less
6 discipline than at St Ninian's. He didn't see any
7 smacking of the boys by staff or Brothers. However, he
8 thinks there was abuse and states there was something
9 sexual going on between a member of civilian staff and
10 one of the boys.

11 He ran away twice from St Joseph's. The first time,
12 he stole a car and was caught by the police and taken
13 back. Second time, he stole a car and drove to
14 Coatbridge. The police got him again and he ended up
15 that time at Longriggend, and he talks about Longriggend
16 from paragraph 155. He was 14 years old at that time.
17 I'll read from paragraph 155.

18 LADY SMITH: Thank you.

19 MS FORBES: "I was in Longriggend for a couple of weeks. If
20 you were under 21 years old and you were remanded in
21 custody, Longriggend was where you went. It catered for
22 a small minority of juveniles. The younger kids were
23 kept separate in their own section in the jail. It was
24 a horrible place. It was real prison, pretty rough and
25 run by prison officers. That was my first real prison

1 cell. I was in a cell on my own. At Longriggend, you
2 would be handcuffed.

3 "You got up in the morning and went to get washed.
4 You marched to the dining room. The juveniles went to
5 the first table in the dining room. The other prisoners
6 sat at tables in long rows in the dining room. One
7 time, an older guy I knew passed me down a cigarette for
8 me. After breakfast, you were marched back to your
9 cell. I think the staff had something to eat then.

10 Then you got marched to a classroom inside the
11 prison. The class was taken by a prison officer in
12 uniform. He was okay and treated us more civilly than
13 the other officers. The officer who took the class gave
14 us toffees at break time. The other officers didn't
15 know how to treat us. We were treated like scum. The
16 class went on until lunchtime, when you'd go back to the
17 dining room. After lunch, you were marched back to the
18 classroom.

19 "After school, there was no television. You had
20 dinner and then, later, you got a cake and a cup of tea.
21 That was your day. I was never out in the fresh air.
22 There was no exercise yard for the juveniles. At
23 Longriggend you wore a uniform.

24 "If you stepped out of line, you got smacked by the
25 staff. There was a lot of physical violence between the

1 officers and the young prisoners. I was whistling in my
2 cell and an officer told me to 'stop fucking whistling'.
3 I told him to fuck off and called him a twat. The next
4 morning staff came into the cell. The staff battered me
5 and dragged me down to the digger. The digger was the
6 solitary confinement block. A senior officer came in.
7 He asked me would I swear at one of his officers, and
8 punched me in the head. It was a proper punch. I was
9 just a little kid. The officer I had told to fuck off
10 was nicknamed 'Rosy' because he had rosy cheeks.

11 I can't remember the names of the other officers.

12 "I went to the panel again and Mr McTaggart and
13 a woman were there. Everyone at the panel was talking.
14 I didn't know what they were talking about. I was told
15 to get in the car. Mr McTaggart took me to
16 Rossie Farm."

17 He then talks about his time at Rossie Farm between
18 paragraphs 161 and 203. He was in Rossie for just over
19 a year. He was 15 in the [REDACTED] and came out that
20 year. He went into the closed block. He describes it
21 as being the most secure school in Scotland at that
22 time:

23 "It was worse than prison. Boys were 13 to 17 years
24 and there was bad atmosphere all the time."

25 He was in a single cell for a week or two and was

1 then put into a dormitory. If you did something wrong
2 there, you would be physically thrown into the strong
3 cell. He was in there about five or six times the year
4 he was there.

5 He was given the belt on four or five occasions.
6 Whilst he was there, a young lad killed himself in the
7 open block. That had a reputation, he says, for having
8 a strict regime and giving out punishments. He thought
9 after the boy died that he must be lucky being in the
10 closed block and thought it must be terrible in the open
11 block.

12 The abuse at Rossie was violence and physical abuse
13 by staff. He remembers being beaten up by a member of
14 staff as if he was another man. He had injuries from
15 that, swollen face, black eyes and a broken nose, and
16 marks round his throat and his mouth was burst open.
17 Not long after that incident, he says that staff started
18 being nice to him, and shortly thereafter he was at the
19 panel again and he was allowed to go back to live with
20 his grandmother.

21 He talks about his life after care, between
22 paragraphs 206 and 209. He says that the next day after
23 going home with his grandmother, his father turned up
24 and took him down to England. He stayed at his dad's
25 for a couple of weeks and then he was off and got in

1 trouble again stealing cars with an older boy and ended
2 up at a remand centre down in England. He was still
3 only 15 years old at this time.

4 However, by the time he was prosecuted he was 16 and
5 he was given borstal down in England. He came out of
6 there when he was 17 years old again.

7 He ended up in Scottish Prison Service
8 establishments again later. If I can continue from
9 page 42, at paragraph 209:

10 "I was near the end of my six months when I was sent
11 back to England for the car theft. I got another
12 six ..."

13 I think it's the paragraph before I should start
14 from, 208:

15 "I ended up on remand in Brockhill Remand Centre
16 near Redditch when I was 15 years old. The prosecution
17 waited until I was 16 years old, took me to the Crown
18 Court and gave me borstal. I came out of borstal when
19 I was 17 years old.

20 When I got out I stole a car and got bail from the
21 court. I went back to Scotland and got six months'
22 custody for stealing a car. I went to Longriggend
23 first, then I went to Barlinnie Prison, and then to
24 Glenochil Detention Centre.

25 Glenochil was a brilliant jail. I loved it there.

1 It was a brand new jail, all electronic, with fancy bars
2 on the windows. You could see out to the Ochil Hills.
3 You could open your window and put your head out of it
4 to speak to the guy in the cell next to you. The regime
5 was good and people learned skills to help them on the
6 outside. The food was good, with things like homemade
7 bread to eat.

8 "I was near the end of my six months when I was sent
9 back to England for the car theft. I got another
10 six-month jail sentence. I have been in and out of
11 prison all my life. I've had some jobs. I've worked in
12 a sand quarry and as a manual labourer."

13 He talks about impact from paragraph 210, and if I
14 could read part of that:

15 "My time in care has shaped and defined my life.
16 The abuse has obviously really affected my life.
17 I'd never really thought about it until recently. Now
18 I'm thinking about it all the time. My life's been
19 hell. Being in and out of borstal and prison was my
20 life. Being locked up was all I'd ever known until I
21 met my wife and had three kids. I still got into
22 trouble with the police for silly things, like
23 shoplifting. When my kids were five and eight years
24 old, I ended up doing a 26-month prison sentence. My
25 kids came to see me in prison. My son realised I was in

1 prison and he broke down crying."

2 He then tells us later, in relation to impact, he
3 was with his wife for 18 years and they had a nice house
4 together. They split up when his daughter was
5 two-and-a-half and, in the 16 years they've been split
6 up, he's been in and out of prison about 20 times.

7 Much of the rest of the impact relates to his
8 experience in care, my Lady. At the end of his
9 statement, at paragraph 226, he states:

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

14 He signed that and dated it 27 November 2019.

15 My Lady, I believe my learned friend Ms Rattray has
16 some more short read-ins.

17 LADY SMITH: If we can move on to those, let's see if we can
18 do that.

19 MS RATTRAY: My Lady, the next statement is a statement of
20 an applicant who is anonymous and has the pseudonym
21 'Neil'. 'Neil's' statement is at WIT-1-000000684.

22 LADY SMITH: Thank you.

23 'Neil' (read)

24 MS RATTRAY: "My name is 'Neil'. I was born in 1956. My
25 contact details are known to the Inquiry."

1 From paragraph 2, 'Neil' speaks of his life before
2 care. He lived with his family in Glasgow, the youngest
3 of 11 siblings. He says his family life was amazing and
4 cheerful. He attended a Catholic primary school, where
5 he suffered physical abuse from the nuns there. He says
6 he became a nervous wreck of a child because of this.

7 He started to wet the bed. Secondary school was
8 better because there were no nuns. He played truant
9 because he was behind in his education and that was
10 embarrassing. Older guys in the area would take him
11 with them when they broke into factories and shops to
12 rob them. 'Neil' would crawl into small holes to help
13 them.

14 He appeared before a Children's Panel a few times
15 and he says they were quite lenient with him and let him
16 stay at home. Eventually, in 1969, he was sent to
17 Larchgrove Remand Home for 14 days, after stealing money
18 and chewing gum.

19 He committed another offence and was sent back for
20 28 days. He was 13 years old.

21 From paragraphs 23 to 55, 'Neil' speaks about his
22 experiences in Larchgrove, where he was teased by staff
23 and other boys for being a rookie. He suffered physical
24 and sexual abuse there. 'Neil' says he wasn't out of
25 Larchgrove for long before he was sent to Howdenhall

1 Assessment Centre for smashing a shop window and
2 stealing fruit in Edinburgh.

3 He was still 13 years old. He was assessed for two
4 weeks and then the court decided he should go to
5 St Joseph's Approved School. He spent a further 15
6 weeks in Howdenhall waiting for a place in St Joseph's.

7 From paragraphs 61 to 110, 'Neil' describes his time
8 in Howdenhall. He says he and other boys suffered
9 physical abuse. Mr LWI a member of staff, hit boys
10 hard across the face. SNR, Mr HCK, belted them
11 so hard they were screaming in pain. Someone must have
12 reported this last incident because the police became
13 involved and took statements.

14 Mr HCK left and SNR, who
15 apologised for what Mr HCK had done. 'Neil' says he
16 never saw anything bad after that.

17 From paragraphs 111 to 169, 'Neil' speaks of his
18 experiences in St Joseph's, where he stayed for about
19 a year. He suffered physical and sexual abuse from
20 staff. He also describes older boys physically and
21 sexually bullying younger boys. 'Neil' ran away two or
22 three times, but was caught by the police and taken
23 back.

24 'Neil' says that he was released from St Joseph's in
25 1971, before he was 14. He was out of care for a few

1 months before being caught by the police for doing
2 something again. He was sent to Larchgrove Remand Home
3 for eight to ten weeks and then to St John's Residential
4 School in Glasgow. He was 14.

5 He says he suffered sexual abuse in Larchgrove and
6 ran away. Whilst in St John's, in 1972, 'Neil's' mother
7 died. He says the news for him apart. He went totally
8 off the rails and started to run away a lot. The police
9 caught him and he was taken to Dundee Sheriff Court. He
10 was remanded in Perth Prison, pending social work and
11 borstal reports.

12 'Neil' says he was locked up with adult prisoners in
13 Perth Prison, but nothing bad happened to him there.
14 When he reappeared in court, St John's didn't want him
15 back because he was unruly and kept running away. He
16 was then sent to Polmont. 'Neil' had just turned 16.

17 Moving now to paragraph 190, on page 27:

18 "Polmont was called a Young Offenders Unit, but it
19 was really a borstal. It was an eye opener. I did
20 a full year in there. It was run like a military
21 operation with short, sharp treatment by the prison
22 officers, who were Scottish Prison Service staff in
23 civilian clothing.

24 "You were put into an allocation centre for the
25 first eight weeks in there, which was strict. Then you

1 were put into one of the three wings for the rest of
2 your time, which was more relaxed.

3 "There was a principal officer and a senior officer.
4 There were gallery officers who looked after the boys in
5 the wings.

6 "The principal officer was a man called Mr GIL .
7 He was very regimental and was dressed immaculately in
8 a different suit every day. He was tall with
9 a moustache and called everybody 'child'. He laid down
10 the laws in there and demanded your attention.

11 "On my first day in reception, one of the prison
12 officers lined me and several other 16-year-old boys in
13 a line. He walked up and down the line shouting the
14 rules and regulations of the place to us. He was the
15 Sergeant Major and wanted your complete attention.

16 "He walked up and down the line and just punched
17 boys at will and knocked them to the deck. He did that
18 to me and to others while shouting at us that this was
19 how we would be treated if we didn't do as we were told.
20 I don't remember his name because I never saw him again
21 after that.

22 "We were then escorted into the allocation centre,
23 where you spent the first eight weeks. After that I
24 went to the south wing for ten months.

25 "We were taught how to march on parade and stand to

1 attention. They gave us black battle dress suits to
2 wear, which were called BDs in short, and also black
3 shoes to wear. We had to keep them immaculately clean
4 by ironing our clothes and polishing our shoes until you
5 could see your face in them.

6 "We had to make our beds in the morning as a bed
7 block, with all the sheets taken off and folded as
8 perfect squares. Our pyjamas had to be folded into
9 squares, too. Everything in our cell had to be
10 immaculate. We had to keep it clean and dust it.

11 "There would be a governor's inspection every
12 Saturday. He would run his finger on any ledge or
13 surface he wanted, to make sure it was dust free. If he
14 found any dust, he would leave it to the gallery
15 officer, who was in charge of the cells, to do whatever
16 he wanted to you.

17 "The gallery officer could punish you by making you
18 stay locked up in your cell and not letting you have any
19 recreation time, or making you scrub the toilets as
20 punishment. It was a very highly secured unit, so there
21 was no running away from there.

22 "There was an assistant governor in the south wing
23 who took a shine to me and took me under his wing
24 a little bit. He would speak to me and try to get me to
25 behave properly.

1 "I started smoking around that time. We were given
2 tobacco to make up our roll-ups and that was the
3 currency in there. There were boys who used to sell
4 cigarettes on the black market and they were nicknamed
5 the 'Tobacco GIL [REDACTED]'. When Mr GIL [REDACTED], the principal
6 officer, had everyone's attention at assembly in the
7 morning, he would say that there was only one GIL [REDACTED] in
8 there and it was him.

9 "There were no drugs in Polmont when I was there, in
10 1972. There wasn't a demand for it at that time. I got
11 a job as a pass man, which meant I helped out the prison
12 officers in their offices by cleaning or making them
13 coffee, like a trustee job. I also got free coffee, so
14 that was good.

15 "I was also in a joiners' workshop in Polmont, run
16 by a proper joiner. We used to take on contracts from
17 outside companies, like Carrick Furniture, who sold
18 wardrobes and cupboards.

19 "Polmont would take the contract and the joiner
20 would set up a production line for the boys to work on
21 to help make these things. It wasn't like
22 an apprenticeship, but more like an assembly line that
23 we worked on. It still gave us some kind of training.

24 "You were beaten up for the smallest thing during
25 the first eight weeks in the allocation centre.

1 "I took my BDs down to iron one day and one of the
2 officers, Mr HDP , knew it wasn't my turn to iron my
3 clothes, so he started to beat me up, saying it wasn't
4 my turn to do that.

5 "I was unaware that there were specific times for
6 you to iron your BDs. He didn't even give me a chance
7 to explain myself. He just did what he wanted to me and
8 was totally violent towards me and I couldn't do
9 anything about it.

10 "When you left the allocation centre and went to
11 more relaxed parts in the wings, you could appreciate
12 what was happening in the allocation centre. They were
13 teaching you discipline that they thought you maybe
14 needed.

15 "I could see that I needed the discipline that the
16 allocation centre taught, but not the abuse. There were
17 punishments that the gallery officer could impose in the
18 wings, like making you scrub toilets or keeping you
19 locked up. They would also hit you for little things.

20 "I left Polmont in 1973, just before I was 17 years
21 old."

22 From paragraph 213, 'Neil' speaks about his life
23 after care and impact. He went home and lived with his
24 dad, who he says was brilliant. His dad died not long
25 after, in 1974, when 'Neil' was about 18 years old.

1 'Neil' says his life was a bit haywire. He was
2 offending and spent periods in prison and began using
3 drugs. He says that stopped getting involved in crime
4 20 years ago and has been off drugs for 18 years.

5 He thinks about the abuse he suffered in care nearly
6 every day of his life.

7 Moving to paragraph 243, page 33, where 'Neil' says:

8 "If you could survive the strict regimes, like the
9 ones I survived in care, and still come out with
10 a little bit of sanity, then you've done well."

11 Now to paragraph 247, page 34:

12 "I would hate to see what happened to me happen to
13 any other child because it's soul destroying.

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

16 I believe the facts stated in this witness statement are
17 true."

18 'Neil' signed the statement on 6 May 2021.

19 LADY SMITH: Thank you very much.

20 MS RATTRAY: My Lady, I have one more which is very short.

21 LADY SMITH: Let's do it.

22 MS RATTRAY: It can be done before.

23 LADY SMITH: Very well.

24 MS RATTRAY: This is a statement of an applicant who is
25 anonymous and has the pseudonym 'Mike'.

1 'Mike's' statement is at WIT-1-000000915.

2 'Mike' (read)

3 MS RATTRAY: "My name is 'Mike'. I was born in 1955. My
4 contact details are known to the Inquiry."

5 From paragraph 2, 'Mike' speaks of his life before
6 care. He lived with his parents and siblings in
7 Paisley. His dad died in 1961 or 1962. His mum
8 struggled to cope and Mike and his brother was taken
9 into care. They were first in Chapel House, Paisley
10 then Barrholm Children's Home, Largs, for two or three
11 years.

12 Secondary Institutions - to be published later

13
14
15 Secondary Institutions -. In Barrholm 'Mike' was placed in foster
16 care with a family in Paisley. It was only 'Mike' who
17 went there, not his brother.

18 He doesn't know why he left foster care and isn't
19 sure where we went next, but he says it was about 11 or
20 12.

21 'Mike' says when he was 12 or 13, some time in 1968,
22 he stole a can of spray paint and Paisley Juvenile Court
23 sent him to Bellfield Remand Home in Dumbarton. He says
24 he was there on four occasions in 1968 and 1969 for
25 periods from seven to 28 days.

1 He also spent a few days at Cardross Children's
2 Home, but has no real recollection of it.

3 From paragraphs 15 to 31, 'Mike' speaks about his
4 experiences in Bellfield. When there for 28 days in
5 1969, he was sexually abused by a member of staff,
6 Mr LIG [REDACTED]. He ran away, but was brought back.

7 'Mike' says that later in 1969, when he was almost
8 14, he was taken from Bellfield to Thornly Park Approved
9 School. He ran away once and was given the cane three
10 or four times over his bare backside as a punishment.

11 He says running away was the only thing you got the
12 cane for. However, 'Mike' says he actually cried when
13 he left Thornly Park because he really enjoyed being
14 there. He went back to his mum's.

15 'Mike' says he got into more trouble breaking into
16 shops and in 1972 he was sentenced to borstal at Paisley
17 Sheriff Court for two to three years.

18 Moving now to paragraph 48, on page 10:

19 "Prior to being sentenced I had been on remand for
20 three months in Longriggend. It was a strict place run
21 by prison officers, but I had no problems there. I was
22 16 and there were boys in there up to 20 years of age.
23 I know that some boys did have problems when they were
24 in Longriggend, but I didn't have any. After court, I
25 went to Polmont. I was actually in Longriggend a couple

1 of times on remand, but never had any problems.

2 "Polmont was all right, but it was very strict. I
3 knew some of the boys in Polmont and had no real
4 concerns about being there. I was in Polmont for about
5 two months before they sent me to Castle Huntly.

6 "I went to Castle Huntly, which was an open prison,
7 for about six months and that was also a good place. I
8 spent a lot of time looking after the pigs on the farm
9 and picking tatties from the field. It was an open
10 prison and I was outside all day. The staff were
11 ex-Army, but brilliant to me. There was no physical
12 punishment and I got a bit of money for working with the
13 pigs, which I got given when I left the place at the age
14 of 16. I was sent back to my mum's when I left.

15 "In 1973, I was given a 12-month sentence at Paisley
16 Sheriff Court and sent to the YOI Unit in
17 Barlinnie Prison, Glasgow. I did about eight months.
18 I have no complaints about my time there and would even
19 say that I loved my time there."

20 Moving to paragraph 55, page 12, where 'Mike' speaks
21 about impact:

22 "I wouldn't say that having been in care has had any
23 impact on my life. I have thought about my time in
24 Bellfield and what happened to me with Mr LIG and
25 have always wanted to report it and would like to see

1 him prosecuted. My second wife thought that my time in
2 care might have affected our relationship, but I'm not
3 sure. The fact me and my brothers were separated
4 certainly affected our relationship."

5 Now to paragraph 60, page 13:

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

10 And 'Mike' signed his statement on 17 February 2022.

11 LADY SMITH: Thank you very much.

12 MS RATTRAY: My Lady, that concludes the read-ins for today.

13 We resume tomorrow morning with an oral witness.

14 LADY SMITH: Thank you.

15 Before I rise this afternoon, we've had quite a lot
16 of names mainly of members of staff, and they included
17 Matt George, a prison officer, GMV, Mr LLY,
18 Mr LLZ, Mr HYQ, GQJ, EZD,
19 somebody nicknamed "Rosy", a Mr HCK, a Mr LWI,
20 Mr GIL, Mr HDP and Mr LIG, and they and any
21 other members of staff that I've missed off that list
22 all have the protection of my General Restriction Order
23 and they can't be identified outside this hearing.

24 Until 10 o'clock tomorrow morning and a live
25 witness. Thank you very much.

1 (4.00 pm)

2 (The Inquiry adjourned until 10.00 am Thursday 16 November

3 2023)

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