

## **Scottish Child Abuse Inquiry**

Witness Statement of

HJY

Support person present: Yes

1. My name is HJY My date of birth is 1961. My contact details are known to the Inquiry.

### **Personal background and qualifications**

2. I left school at sixteen without any qualifications. I was taken on in the Youth Opportunity programme as a 'Yopper', as it was called then, and was supposed to be cleaning buses. At the bus garage they gave me a toolbox and I followed the mechanic around for about six months. At the end I was given an apprenticeship. When I finished that I started at Kings and Dunblane where I worked for a year and a half.
3. In this time a woman I called my auntie, who worked in the prison service, asked if I fancied working in the prison service. I did the entrance exam which I passed then was interviewed at Barlinnie. After that I basically got the job because people on the board used to work with this auntie. That seemed to be the way it worked back then.

### **Prison career**

4. I started working for the Scottish Prison Service in 1984 at the age of 22. My first posting was to Glenochil in the detention centre and then on to Glenochil young offenders institution. In 1990 I applied and got moved to HMP Barlinnie and worked in the special unit for around three and a half years. This unit held nine what were

deemed as 'non compliant' prisoners usually there for lengthy sentences. It was all adult prisoners at Barlinnie, no young offenders. In 1993 I was looking for more experience because I was wanting to get promoted. I went to HMP Cornton Vale until 1994 when I was promoted to HMP Low Moss as a first line manager. I was in Low Moss until 1997 when I moved to the old HMP Polmont. I was transferred from Polmont in 2004 to HMP Shotts. I worked in HMP Grampian for a while too but that was mostly just adults there that I dealt with. I went back to Polmont in 2011 and remained there until November 2021.

#### *Young Offenders institutions*

5. The institutions I worked in which dealt with under eighteens were Glenochil Detention Centre, Glenochil YOI, Cornton Vale, the old and new Polmont, Grampian and Longriggend. In Grampian I did the security and visits so didn't directly deal with young offenders and only occasionally came into contact with them. I was never actually based at Longriggend but sometimes took prisoners to and from the reception area.

#### **Glenochil Detention Centre and HMYOI Glenochil**

6. Young offenders who had been sentenced at court would go to either Polmont or Glenochil but I am not sure how it was decided who went where. Anyone sentenced to 3 months in the detention centre would usually serve 8 weeks 5 days and a breakfast then get released. I was mostly based in Glenochil detention centre but also did shifts in the young offenders unit. During the A Hall riot which was in 1985/86 I worked in the young offenders part.
7. Glenochil detention centre was brutal. The treatment there was short sharp shock for first offenders. The idea was that it would make sure the boys didn't go back to jail. It was run like the army. The boys all wore army boots, and got drill every day. Someone else usually took the drill because I hated it. The boys would be woken up every morning at 6am and would be marched down for a shower. They all went at the same time. They marched everywhere. When each section were coming out their cells they

would have to stand half in their door and half out. When instructed they would all close the door at the same time. If they didn't do it properly they had to do it again and again until all the doors closed at the same time. They would be given a razor even if they didn't shave. Afterwards they gave the razors back.

8. When they showered they would barely be in for thirty seconds. They would be told when to put soap on and when to rinse it off. When they came out they had to have their towels draped over their arm then they were marched back to their cells.
9. Their beds had to be made in bed blocks. Some of the boys never opened their bed block because they didn't know how to do it. When boys went into the dining hall they had to march round to where they were to sit. There were four boys to each table. They would stand until instructed to sit. When instructed by the senior officer the boys had to pull their seats out at exactly the same time. It was the same when they were leaving the dining room. The senior officer would then decide and point to whatever table was to get up next and collect their food. The plates of food would be on a hot plate ready to be picked up. The boys had to shout through and thank the cook even though there was no one there. They would then get ready and go to the sheds or whatever their workplace was.
10. The floors were like granite so they were polished and they were immaculate. This was done in the evening as a punishment. I saw some boys pass out from the exertion.

### **Abuse at Glenochil**

11. I was 22 when I started at Glenochil. I had been trained at the college then went back to Glenochil and because I didn't know any better I thought what I saw was normal prison life. Looking back now, 37 years later, I can see that the detention centre was mental torture and brutality. There wasn't physical torture as such just really bad mental torture. There were eight suicides at the detention centre and that is why it was shut down. Police came in and investigated them and looked through nightshift rosters

to see if it was when particular members of staff were on duty. It was nothing to do with that. It was because of the regime and the mental brutality.

### **HMYOI Polmont**

12. Statistically Polmont is the most dangerous jail in Scotland. In reality there was more violence and attacks in Polmont but there was more likelihood of you being seriously hurt in Shotts, Glenochil and the new Low Moss. This is because young boys don't think about the consequences and a lot of them are under the influence of drugs.
13. Polmont YOI is in Falkirk and its purpose was to care for anyone between 16 and 21 who had been sentenced at court to a custodial sentence. Although it was for 16 to 21 year olds they could remain there until the day before their 23<sup>rd</sup> birthday. This depended on any course or education they were involved with.
14. Argyll hall at Polmont in particular was a 'cowp'. There were no windows and there were porta potties in the cells. The television was communal for everyone to watch. There were only two phones in the hall for 130 to 140 boys. The work facilities were poor so if the boys didn't work they were locked in their cell all day. This also meant that they didn't get a work wage and only got a cell wage which was rubbish. Because of that there was a lot more violence in these halls.

### **Staff structure**

15. When I went to Polmont from 1997 to 2004 I was a hall manager. I started in Argyll hall for a while and also worked in the visits. Basically I got moved about and worked in various areas and halls. The governor when I started at Polmont was Dan Gunn. He was a bit inept. He didn't walk down the halls and speak to the boys. He was a laid back, relaxed sort of leader and believed whatever people below him told him. His deputy was Ronnie. I can't remember his last name but he was known as Jack Slipper.

16. I thought the relationship between the staff and the prisoners at Polmont was generally okay but it really depended on what hall you were in. If you were in a hall where the prisoners had night sanitation and televisions and other privileges there was more chance of a better interaction than where there wasn't. In Argyll Hall and Ally Cally the boys had nothing so there was no way they were interested in interacting. It works both ways and both parties have to interact. I used to box so I spent time talking to some of the boys about boxing and it was a good way to build a relationship with them. Staff tried to interact with them but going back thirty years no one really knew about mental health issues. Troublesome individuals were just classed as 'bams'. Nowadays they would be identified as having mental health issues. We didn't know their background or what they had been through in life.
  
17. The whole time I was at Polmont I was a first line manager. I was promoted to this when I went to Low Moss in 1994. My first line manager was the unit manager of which I had various. One was a PTI from Edinburgh but I can't remember his name. He left to join the social work department. Others were Jimmy Chisholm, Les Wiley, Davie McGlav and Gordon Bruce. David was really good with the boys. My governor was Derek McGill.

### **Training/ development**

18. When I went to Polmont I think I shadowed someone for a week. That was really the extent of my training. At one point I was moved to work in the visits area. I went there because staff weren't doing their job properly. Although they had been trained they were very lax. They were all standing in the wrong place and there was no wonder drugs were getting in the prison. I went there and made sure things ran properly.
  
19. I was never a staff trainer. My overriding principle was to look after my staff. My job, whether I was working in a hall or in visits, was simple. If I had sixteen staff, all I was worried about was looking after them and making sure that at the end of the day I came out with sixteen. My next priority was to run the regime the way it was supposed

to be, making sure that the staff were doing their job and the boys were getting everything they were entitled to.

### **Recruitment**

20. I was occasionally involved in the recruitment board when I was at Polmont. I would be on the panel after the first paper sift had been done. I was part of the interview panel where there was a set of questions to be asked. They were then scored. They probably had a recruitment policy but I have no idea what it was.

### **Supervision/ appraisal/ evaluation**

21. David McGlav was my line manager he would have done my annual report.

### **Policy and Strategic Planning**

22. I never had anything to do with writing policies or involvement in strategic planning. There were Standard Operating Procedures (SOPs) which the prison halls were run by. I would often refer to them for guidance particularly in relation to the numbers of staff I needed to run the halls safely. The SOP would give me this information and they were written for safety reasons.

### **Staff/prisoner numbers**

23. I am not sure what the total number of prisoners there would be at Polmont and what the prisoner to staff ratio was. A lot depended on what hall you were in. The one place I can tell you is in the segregation unit where there was one supervisor and three members of staff. In Argyll there was one supervisor and about eight staff. In the bigger

halls like Munro Hall there were about sixteen staff where there were maybe two hundred prisoners.

### **Routine for young offenders - Polmont**

24. When I was first working between Glenochil YOI and the detention centre the young offenders had night sanitation. This meant that the boys could press their bell and they were allowed out of their cell to go to the toilets. As long as they were back in 8 minutes there were no issues. Thirteen years later when I went to Polmont for the first time I was in a hall where they had porta potties which were full of piss and shit and the cells windows were mostly broken. It was stinking and the boys covered the windows with their blankets. These potties were only emptied by the boys once or twice a week. Sometimes the boys would put their faeces in a bit tissue and throw it out the window. Boys would go out the next day who were called the bomb squad and pick the waste up. They got extra perks for doing this job. Some boys didn't have underwear and were sitting in jump suits because there was no clothes available for them.

### *Washing/ showers*

25. In the old Polmont the showers were communal. In the old Nevis hall there were cubicles but you had to watch for boys crawling below the partition. They might be going to assault another boy or to tamper with him. There would be a gallery officer present but there were doors to the showers so the boys got privacy to wash. There was a fine balance between supervision and privacy.

### *Health issues*

26. There was a nurse in Polmont who was the first call for any health issues. This role was undertaken by a prison officer until 1994 when the role was civilianised. I think this was a positive move for the boys.

### *Inspections*

27. The Inspector of Prisons came in but didn't speak to me. They only spoke to the senior managers who wore the suits. If they had spoken to me and my staff they might have learned the truth.

### *Discipline and Punishment*

28. When people who are sentenced to prison are violent outside they don't turn into nice guys when they come into prison and probably become more violent. Other prisoners who aren't violent outside when they come into prison have more pressure on them and don't have a choice other than to turn violent if they want to survive.
29. There were occasions when prisoner's behaviour is not acceptable or when incidents happen that they need to be punished. I would never punish or sanction a prisoner. The policy in place is that prison officers would put them on report which means putting the circumstances on paper to the governor. If it was for violence the offender might get locked in his cell until the next day. If it was more cheek or other minor misdemeanour he would probably still get out for recreation. There would then be a mini court the next day where the governor would read the report out and hear from any witnesses. He would then decide on the punishment if any. The governor might send the prisoner to the segregation unit. In all my time at Polmont I think I only ever put three boys on report. If prison officers are doing their job properly putting prisoners on report should be very rare.
30. In the segregation unit you are locked in your cell all day apart from an hour's exercise. It can be refused but it has to be offered. Whenever a prisoner is taken out for exercise they are asked if they want to do it and if so they get changed and their doors are opened. They will then stand just outside their cell door. One of the three staff would then rub, not pat, down the prisoner but nowhere near the genitalia area.



## **Control and restraint**

31. Control and restraint was brought in around 1986. According to people I know still working in the prison they have applied these same restraints for adult men, women and young offenders right up until the last year or two. They have now introduced different methods and equipment. It is all age dependent. All restraints were documented and recorded on the electronic PR2 system.
32. We had training in control and restraints and had to do a refresher course every year. The training makes you competent for the next year but this could extend to fourteen months. I was not told by management as a matter of course when someone's training had expired indicating they were no longer competent. The staff training officer would have held that information. In the event of a prisoner being restrained, once they were under control, I would ask the officers if they were still competent. If they said their training had expired then this person would be replaced.
33. Although I have been involved in lots of restraints and removals over the years, I have not actually had hands on in many cases. Most of the time I would be in charge telling the three other staff what to do. I will be the only person who talks so my voice is the only voice the prisoner will hear. The only time I would get hands on would be if I responded to an alarm and was there first. When other staff arrived I would remove myself and take charge.
34. If I responded to an alarm and a prisoner officer had been assaulted and was restraining the person then when other staff arrived I would remove the officer who had been assaulted. I would do this to make sure there was no undue force being applied to the prisoner through adrenaline. If however the fight was all over by the time I got there then there was no need to restrain or put either prisoner in locks. They would be put in a come along hold which isn't much more than holding their arm and returned to their cell. Every situation is different and we had to take the appropriate action in response to the circumstances.

35. After any restraint incident like this we would make sure they didn't have any weapons on them and the nurse would come down and check them over for injuries. We would never leave the person alone until the nurse examined them because they could intentionally injure themselves before the nurse got there and blame us. The supervisor would then record this restraint incident on the PR2 system.

#### **Trusted adult/confidante**

36. Every prisoner had a personal officer. I didn't have any in my role and they would be split between my staff. It really depended on the individual relationship between the prisoner and the prison officer as to whether the prisoner would disclose anything to them. I would expect anyone who had been abused to report their abuse to their personal officer or it could be someone else that they trusted.

#### **Reporting of complaints/concerns**

37. If prisoners had any complaints they could make them to their personal officer. It could be, depending on the complaint, that it would have to be put in writing. There was a Prisoner Complaint form (PCF) which they would be handed to complete and his personal officer could help him complete it. If that wasn't appropriate he could elect a 'passman' to help him. The passman was a fellow prisoner who had the job of being passman which held some privileges. This form would be delivered directly to the governor in a sealed envelope.

#### **Investigations into abuse – Personal Involvement**

38. As the hall manager at old Polmont I would have two staff initially on each landing. When I went back to the new Pomont there were four staff on each landing because the halls were bigger. I went up to these flats in the morning to make sure they were staffed. Throughout the day I would be back at various times depending what was

happening. The rest of the time I would be in the office doing paperwork. I would only really go back to the landings if there were any issues. The gallery officers ran their flat. Hall managers won't get to know who all the prisoners are but will get to know the violent or troublesome ones or the self-harmers. In my time as a hall manager I never received any complaints from the boys about any of my staff. Any complaints might have gone direct to the senior management on a complaint form.

39. I never had any boy approach me and try to report any abuse to me personally. I have never been involved in the investigation of any reported abuse. Years ago investigations were carried out by the "suits" who were the senior managers but it all came down to who the suit knew and it depended who the suit was friends with. This changed when a dedicated investigation team was set up. They were equally inept despite the fact they went on a course to learn what to do. This was why I would always want the police to be involved in any complaint against me because they were professional and thorough. They would get the CCTV and interview the right people. They have no friends in the job so they are independent and unbiased, they look at all the evidence and won't be seen to be doing favours for anyone.
40. The only time I might have been involved in any inquiry into staff might have been on a couple of occasions if there had been complaints about staff being late for work but nothing in relation to abuse.

#### **Definition of abuse**

41. I am not aware of seeing any written definition of the meaning of abuse in Polmont or any of the other prisons I worked. I know you can't just go around putting your hands on people without any justification. It is all just common sense. There is nothing in the prison rules saying you must not abuse prisoners but maybe there should be. There are rules and standards and you are working with other people with different standards. For someone to go in and abuse a prisoner in a certain way will not be accepted by anyone.

### **Leaving Polmont in 2004**

42. The official reason the senior management moved me from Polmont in 2004 was because I complained too much about the senior management being corrupt. The real reason was because I had received intelligence that there was going to be a battle between the Edinburgh and Glasgow prisoners so I had asked for exercise to be cancelled that day. The management refused. Because of the information I had received I made sure they were all rubbed down so no-one had any weapons. I had also made sure beforehand that all the officers were carrying their sticks because a lot of staff were blasé about the carrying of their sticks and didn't always carry them. In the exercise yard it all kicked off, tools and weapons were produced and they set about each other. I instructed staff to draw their sticks. If I hadn't done it could have been a lot worse. One member of staff was cut and two other members of staff were hurt. More staff would have been hurt and a lot more boys would have been hurt too.

### **Transfer to HMP Shotts in 2004**

43. In HMP Shotts I worked in the National Induction Centre for a year and a half then worked in the segregation unit. This segregation unit was the punishment block for the prisoners. I was told I was put there because I had good interactional skills with difficult people. In the segregation unit it doesn't matter if there is one prisoner or twelve prisoners, the rules are that you only ever open one door at a time. These prisoners are deemed to be violent, on drugs or for other reasons. When that one door is opened there are three members of staff present just in case the prisoner kicks off. Prisoners were in there for a month minimum so, on a rotational basis, I would take each prisoner to the gym for half an hour of exercise in the morning. This helped build relationships between the staff and the prisoners. If prisoners are constantly asking for things and all they hear is "No, No, No" then it builds up resentment and can end in violence, which is how I have ended up with scars on my face. I was in the segregation unit for six years.

## Leaving Scottish Prison Service in 2021

44. I was put on a final warning in Polmont after I was accused of threatening a prisoner who was refusing to go to get in the van to go to court in Aberdeen. The van normally leaves at 6am because of the distance away. Normally anyone refusing to go to court would be restrained and forced to go. We couldn't do that because the nurse didn't start until 7am and they would have to be examined after a restraint. I went down and told him he had to go. Eventually he went but at the court he made all sorts of allegations to his lawyer. There was a police investigation but there was no case to answer. The governor wasn't happy with this so there was an internal investigation. There was a hearing and before I went in my union rep told me I would get sacked but he would get me my job back.
45. I went into the hearing and I told them honestly what had happened and basically that I told him he was "fucking going to court". Because of what I said I was put on a final warning.
46. Sometime later I was covering a shift for another prison officer who needed the night off. I was working on the bottom flat of Iona hall. An alarm bell sounded from the girls' hall. I didn't respond initially but then the call came over the radio from a female member of staff needing more help. I went and there were two girls sitting on the top of a fence refusing to come down. There were mattresses placed on the ground so when they came down they wouldn't get hurt. I went to one of the girls who I knew and tried to encourage her to come down. She refused then pulled her top up and I thought she was going to flash me and I felt uncomfortable but she pulled out a vape out and tried to jag me with it. I stood on a ledge, pulled her by the arm and she came down.
47. Because I pulled her down and was on a final warning I was sacked. Nothing happened to the other prison officer who pulled the other girl off the fence. Apparently part of the reason was because my feet weren't on the ground whereas the other prison officer was because he was taller. That is how corrupt the prison service is. This was in November 2021. I subsequently got a monetary payment for unfair dismissal.

## Personal Police Investigations/criminal proceedings

48. There was an incident after I had been at Glenochil for nine months when I was the shed doorman. This meant I was counting the prisoners in and out of the joinery shed. One of the prison officers was attacked by a lifer and a long term prisoner. They were attacking him with a chisel. I hit the bell and responded to this. I pulled one of them off and shoved the other one out. The one with the chisel came back and I punched him in the face. If I hadn't the prison officer was a goner. The two prisoners were charged and [REDACTED]. The governor subsequently told me that if I hadn't done what I had done I would have been sacked.
49. When I was at HMP Shotts there were two of allegations of assault made against me. One was where a prisoner tried to stab me and gouge my eye out. I punched him in the face.
50. A 'No smoking policy' was introduced when I was at Shotts prison which didn't bother me because I didn't smoke. I told my staff that it didn't bother me if they wanted to smoke but told them to go into a prisoner's cell or an empty cell if they wanted to smoke. There was a prisoner in the segregation unit at HMP Shotts called [REDACTED] who was from Perth and was a violent guy and was known to attack staff. I got on well with him and had a good relationship with him. He also got on well with my staff and they would go into his cell and have a fag. My boss knew this was going on and didn't have an issue with it.
51. On this day six months after the No Smoking policy was introduced David, one of my staff, asked to speak to me privately. He was a really honest guy. He told me that he had gone into [REDACTED] cell three months earlier and the female member of my team was having sex with the prisoner. I told him that he would have to tell the management but he refused because he said he would get the sack for not telling me three months ago when it happened. I said that I would have to report it to which David said that he would deny telling me and that he had no knowledge of the incident.

52. I thought about how I was going to deal with this incident for four days and I was trying to encourage the prison officer to speak up. At that time I was doing shorter shifts than my team and I left work around quarter to five and they worked on until half past six or so. So when I left everyone was locked in their cells and the staff would do paperwork. The prisoners would get their meal after I left so my staff would go round and pass their trays in. What I didn't know is that this same female was getting changed into sports gear, spending time on the running machine, then when it was time she would hand in the prisoners' meals without getting changed. One of the operational prison staff spotted her doing this on the CCTV and reported her and she was suspended.
53. I spoke to my boss, Tony Martin, and I told him that she shouldn't be in the job and about her having sex with the prisoner in the cell. Tony wanted to speak to David and told me to bring him to the office but David refused to go. Tony wanted me to 'grass' David but I didn't want to because he would lose his job. Ultimately there was an investigation into the female member of staff re her wearing inappropriate sports gear and she was put on a final warning. There was then an investigation into her having sex with a prisoner in a cell. Mike Hebdon came down from Peterhead prison to investigate. I told David before he was interviewed to go in and tell the truth and that she had manipulated him and that he never told me for three months.
54. I spoke to him after he was interviewed and David said he never told them what I had said because they hadn't asked specific questions. I went up to see Mike Hebdon. He would have known it was me that had been the source of the information and he asked me what the story was but I had to say I knew nothing otherwise David would get sacked. Because of this that complaint was thrown out.
55. Three days later the prisoner [REDACTED] was getting released from prison so I had asked if I could take him out on special escorted leave so he could go for a job interview. My governor refused on the grounds that he was in segregation and he wasn't suitable. I asked if I could take him after he had been released from prison. I was told this would be in order. I picked [REDACTED] up and took him from Stirling up to Falkirk for the interview. I was subsequently charged by the prison service because the governor said I never asked for permission. It went to a hearing and I brought in

two witnesses who gave evidence to the fact that I had and it was thrown out. This incident was fully investigated internally and is contained within my file.

56. As a result of this I contacted the governor at HMYOI Polmont, Derek McGill, and told him that I couldn't work at Shotts anymore because the management was corrupt. He was a really good guy and I had a lot of respect for him. He got me a job and I started the next day at the new HMYOI Polmont. I remained at Polmont until I finished in 2021.
57. There was another incident when I was put into visits and I refused someone their visit. The guy subsequently lunged at me so I used my Personal Protective Training (PPT) and hit him resulting in him bouncing off a window. He wanted the police involved which I was going to do anyway. Uniformed officers came and when they saw the CCTV no action was taken. The next day the governor didn't accept that and contacted the CID who came and they formed the same conclusion. They weren't happy when they heard that the uniform branch had been there the previous day. That is part of the reason why I don't trust the management.

#### **Allegations of abuse by children**

58. In my service I have had a couple of complaints made about me. They were investigated by the police and were thrown out. I am not going to go into specific complaints but they are in my file. If I am doing my job properly and someone decides to slash me or attack me in any way, I am not going to stand there and let it happen. I will do exactly what I am trained to do, I press my alarm and restrain the person. It is not a natural response just to stand there and be slashed or whatever.



## Specific Alleged abusers

HJU

59. I don't know an HJU but do know an HJU. If you are referring to him his nickname was HJU. He served all his time at Polmont and was there both times I was at Polmont. He was a couple of years younger than me and was a gallery officer when I was in Argyll hall. He was on the top level and I was in charge of him. He was a loud individual, a bit flamboyant but had a good rapport with the prisoners. I never had any issues with him. Him and another prison officer were suspended for five years following an allegation, I think it was for assault, but at the end it was all thrown out. They were transferred to another prison but never actually went there because HJU resigned.
60. HJU wouldn't discipline anyone but I know he put some on report for misconduct. I never saw him abuse any prisoner. I never saw him put hands on any prisoner unless he was restraining a prisoner. I am not saying that it never happened but I never saw him doing it. I have never heard of him abusing any prisoner.

HJW

61. HJW was a good guy and was around the same age as myself. He ended up a cook and was at Polmont all the time that I was there. His wife died when I was there and he went through a difficult time. He wouldn't assault anyone. He was a warder initially and may have worked for me for a while in the segregation unit. At some point he was in Argyll hall. I didn't socialise with him but I respected him at work. He was really good with the prisoners. He is not a violent individual and had a good sense of humour. I can't remember seeing him having his hands on any prisoner and I never saw or heard about him abusing any prisoner. I don't think he ever put many prisoner on report.

HJV

62. HJV came from Shotts prison and was one of the cooks. He was there at least six years when I was there. He never worked for me. He was maybe five years younger than me. He was a nice guy and got quite a hard time at Shotts. That was why he became a cook. What I saw of him when I was occasionally in the kitchen was that he was good with the boys but like the rest of us shouted at the boys if they stepped out of line. I am not aware of him putting anyone on report and I never saw or heard about him abusing any prisoner.

Mr HJX

63. HJX was a good friend of mine. HJX was something like an eighth dan in martial arts and was known as HJX. He was there both times I was at Polmont apart from my last two years. He was about six years younger than me but died about ten years ago from cancer. He never assaulted anyone. Whoever has said he has abused anyone has made up a fairy story and is a sick individual. HJX never assaulted anyone. He had one of the best rapports with prisoners that I had ever seen.

### Specific allegations

HKC

64. HKC has given a statement to the Inquiry and at paragraphs 182 and 184 of his statement he says "*I saw some boys getting really battered by staff, not the same staff who battered me. I saw a Mr HJY or Mr HJY battering a boy. If boys smashed up their cells, the staff would go in one cell at a time and you just heard boy screaming. I saw boys with burst lips black eyes and sore mouths. You would be restrained in Polmont and the staff would put your arm right up your back. They would run into doors with you when they were taking you to segregation*".

65. When I was at Polmont there was another prison officer with the surname [REDACTED]. He was [REDACTED]. [REDACTED] worked in the halls and was a really quiet laddie. There was also an [REDACTED] but I am not aware of him ever working in any of the halls.

66. I don't know who [REDACTED] is. I have never heard that name. Whoever [REDACTED] [REDACTED] is talking about it isn't me. If you go into my career file held on PR2 and that of other staff you will find out who was working in that hall at that time. Even if I was in that hall doesn't mean I was on that flat. I am not even sure where I was in 2001. He doesn't say who I supposedly battered. The passage of time hasn't affected my recollection of what has been alleged. I think the passage of time has affected his memory of events. I cannot say what is going on in his mind that has made him say what he has said. The way I have read his complaint is that it happened in one of the more violent halls. It is possible I haven't allowed him to do something or refused to give him something and it hasn't gone down well with him.

67. I can't answer this allegation because I have never heard of him and he doesn't name who it is I am supposed to have battered. There is no location and you can't tell me who is supposed to have been battered. I am not being evasive there is just insufficient information for me to make comment. I can't say that what he has said is abuse because I don't know what he is talking about. I don't know if he is talking about someone being restrained or is he talking about them being actually battered.

[REDACTED]  
GKX

68. I remember [REDACTED] who was in two of the establishments at the same time as me. He was volatile but I thought he was alright. He was from Airdrie or Coatbridge. One time he assaulted the prison officer [REDACTED] and I saw it happen because there was something about the food [REDACTED] didn't like. There was another time he assaulted someone. I supervised these removals.

69. [REDACTED] has given a statement to the Inquiry and at paragraphs 107 and 108 of his statement he says "*There was another senior present officer [REDACTED] and he too was always willing to beat the prisoners up. I have heard that he was transferred*

*from loads of prisons following complaints about his violence. He used to be a boxer and he used to go on about the number of fights he had won. Personally I think he was punch drunk. He was about 50. One time he was searching me when I was in segregation. A few prison officers would come in to search us before we were allowed out for exercise. The prison officers regularly did this and they were supposed to just pat you down. It would always be him that did the actual searching he wasn't just patting me down. He was heavily touching me up in my private area over my clothes. This happened to me and a few other prisoners. We complained and I told the female governor what he did. He ended up getting suspended but as far as I am aware nothing ever happened about it."*

70. This allegation that [GKX] has made that I touched him did not happen. In all the places I have worked I have never had any sort of allegation like that before. I think it has been made just to smear my character. I accept that prisoners are going to make allegations of assault against me and others because it is just about the only way they can get back at us but I don't accept this allegation. I might have put him on report at some point but I never sanctioned or punished him. [GKX] indicated that this happened in the segregation unit where I was posted a couple of times. The first time I remember [GKX] was when I was in Nevis hall. I don't think I was ever in there when [GKX] was in there. My career file on PR2 will confirm this. This allegation is malicious and purely made to slur my character.
71. [GKX] would have been eighteen by the time I dealt with him in segregation. If I did have him in the segregation unit I would have had three members of staff working for me. The only time I would be involved rubbing anyone down would be if one of those three were doing something else or if I had stand in staff and we were dealing with a violent prisoner. This would happen very rarely. There is also CCTV in the segregation unit for the staff's protection.
72. [GKX] was subsequently in Shotts prison the same time I was there. If I had abused him like he said he would have told everyone in Shotts I was a beast and I would not have survived.

73. I never abused [REDACTED]. We had a bit banter sometimes and I used to slag him but that was just part of the humour. I never abused him in any way. The passage of time has not affected my recollection. I think [REDACTED] is just being vindictive to me. I think I was in charge of three removals of [REDACTED] and my voice is probably the only voice he would hear. It is possible [REDACTED] has heard my voice and has blamed me for hurting him.
74. According to [REDACTED] I have been chucked out of all these jails because of violence. I know I was put out of Polmont the first time because I instructed staff to draw their sticks because there was a fight in the exercise yard. I tried to get management to stop it happening by stopping their exercise but they refused.
75. If I had seen any prison officer doing what [REDACTED] says that I did to him, touching his private area, then I would consider that to be abuse. In all my service working in six young offenders establishments I have never had my integrity challenged in relation to a sexual assault.

#### **General abuse in Polmont**

76. In the statement of [REDACTED] at paragraph 103 he states *"Boys were encouraged to fight each other and as long as it happened in the toilet area that was fine. The prison officers would just watch from their office. Before you started fighting you would just go in and tell them that you were going to have a fight in a few minutes then that was allowed. It was all sanctioned by the management and I am saying that because they did it too. They encouraged the others to do it."*
77. This did not happen and what he has said is utter rubbish. I was the hall manager and there is no way that we organised any fight or allowed it to go on. I was generally on the bottom floor of four levels but sometimes walked about. Wherever I was I would know if there was a fight going on. Boys would be screaming or there would be other noises so I could tell. Someone could easily get murdered and there was no way you could justify letting this go on.

### **Witnessed abuse**

78. I have never seen anything in any young offenders institutions that I would consider to be abuse. I have never seen anyone being rubbed down in an inappropriate manner. I may have once seen a passman being rubbed down and he was being cheeky so the officer searching had flicked him with the back of his knuckles in his privates. I pulled that member of staff up for that.

### **Convictions**

79. I am not aware of any incident within the prisons when I was working there dealing with young offenders that led to any prison officer being convicted. If anyone was convicted of assault they would be sacked. I am not aware of anyone getting sacked in that way.

### **Helping the Inquiry**

80. I didn't see or hear of any abuse when I was in Polmont but I am not saying abuse didn't take place. There are five halls in Polmont and I cant be in every hall at the same time. I supervised and was involved in lots of restraints. The only time I put my hands on prisoners was if they had assaulted my staff or other prisoners and by restraining them I was only doing my job.

### **Records**

81. Paper personnel files have been replaced by a computerised system called PR2. Everything is recorded on there. Career files are on there including dates of employment and where based, visits, removals, drug history and lots more. I obtained my records after I left the Scottish prison service. Within the records is an official letter from the management to say that I was getting transferred the first time I was in

Polmont because I was complaining about the management. That wasn't why I got transferred. I got transferred for doing my job.

### **Lessons and Hopes**

82. The Scottish Prison Service has caused me lots of problems over the 37 years I was employed with them. I have sustained many injuries and have scars on my face. The management made me work where other people didn't want to work for various reasons. If someone didn't want to work somewhere because they couldn't cope or it was too busy for them I was always the one that was chosen. I was put into positions that I should never have been put in. I was never asked, just told. I have a lot of resentment for the management. I lost faith in the Scottish Prison Service management when I was accused of an assault and the prison management tried to stitch me up.
83. When I was put to Shotts the management could have quite easily put me to Glenochil which is five minutes from my house but they didn't, instead I got Polmont which is an hour away. They just did that to make it awkward for me.
84. I think there are a lot of people who commit crime that don't warrant being in prison. If a Sheriff deems that someone should go to prison the staff in the prison can't turn round and say that they shouldn't be there. There isn't enough time for staff to spend more time with prisoners. There should be the option to have one to one chats. It all comes down to money and there is never going to be enough money to give more time to have one to one time.
85. Listeners are a good thing. I have had good experiences with them even though they are prisoners. Occasionally they have told me when there were concerns about individuals self-harming after they have had a chat with them.
86. I know that some female prisoners at Polmont were used by staff who came down from the college to get trained in strip searching. This was so wrong. The young girl

that was arrested for driving offences was used like that for supposed training. That girl subsequently committed suicide. The circumstances of this case will come out in the fatal accident inquiry.

87. I have no doubt that there is abuse going on in Scottish prisons as there is any other large organisation which is going on undetected. With the number of prison officers in the service there will be abuse going on. I know I have never been involved in any abuse nor seen anyone else abusing a prisoner.
88. In my opinion the young offenders institutions are like postcode lotteries. Boys that come in are generally from what are classed as deprived areas in big cities. Sometimes there are boys from rural areas too. My opinion is that 95 percent of these boys would turn out completely different if they were brought up in a different place or if they had different chances. They might never end up in jail. In big schemes the boys either learn to run with the gang or get terrorised by them. They then end up getting involved with drugs and they end up getting addicted. Junkies aren't bad people although they can be when they are taking drugs. Nobody wants to be a junky but just can't get off the drugs.
89. Later on when I was at Polmont they introduced 'Listeners'. These listeners were other serving prisoners and might have been a trustee. They were trained to sit down and speak to prisoners who were having issues. They were put in a room together and checked up on them every five minutes or so to make sure everything was going okay. The listener would give advice.
90. I think it would be a good idea for prisoners who wish to make a complaint that it is dealt with by an independent body. It isn't right that the Prison Complaint Forms completed by the prisoner goes directly to the governor of that prison. It should be investigated by a neutral body.
91. Prisons don't just run by the prison rules. Prisons run on prisoners rules too. They have their own rules about different things. There are things that are acceptable and there are certain things that are not acceptable. Different staff have different



interactional levels with different people. Some had better friendships than others. Some prisoners will never speak to you and that's just the way it is. Prisons rely on a good staff to prisoner relationship, although along the way there are bound to be a few blips.

- 92. I appreciate that there shouldn't be abuse of children under the age of eighteen but some of these boys are sent to jail because they are violent people. Sixteen year olds slash people, stab and kill people just like eighteen year olds do. I don't see how thirty years ago the staff had to differentiate boys depending on their age and treat them any differently.
- 93. Prison officers wearing body cams would be a great idea. It would protect the officer from false allegations. It would also protect the prisoner from any heavy handed treatment by prison officers.
- 94. I have no objection to my witness statement being published as part of the evidence to the Inquiry. I believe the facts stated in this witness statement are true.

Signed... HJY .....

Dated... *4th of December 2023* .....