

Thursday, 22 February, 2024

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2 (10.00 am)

3 LADY SMITH: Good morning. We return to oral evidence this
4 morning on the third day this week, in Chapter 3 of
5 Phase 8 evidence. We have a witness ready to give
6 evidence, I think.

7 MR SHELDON: That's correct, my Lady. The first witness is
8 'Petrie'.

9 LADY SMITH: Thank you. Now, 'Petrie' is going to give
10 evidence behind a screen. I don't know if those of you
11 who are observing the proceedings today have seen what
12 happens before. A screen will be pulled right across
13 the room while the witness comes in. Once the witness
14 has settled, the screen across the room will be pulled
15 back. But, in the meantime, a screen that curves round
16 the desk where the witness is will have been pulled
17 round. The witness will give evidence from behind
18 there, using the microphone as normal, so you will be
19 able to hear the witness clearly. If that could be
20 done, please. The big curtain first, and then the
21 witness can come in. Thank you.

22 (Pause)

23 Morning, 'Petrie'. Could we begin by you raising
24 your right hand, if that's possible? Thank you, and
25 repeat after me.

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'Petrie' (sworn)

LADY SMITH: Now, 'Petrie', do sit down and make yourself comfortable. Take your time, there is no hurry.

Now, in a moment, 'Petrie', the large curtain right across the room will be pulled back, but nobody can see you now that that curved curtain has been pulled round, so please be aware of that; you are protected from view sitting where you are.

But, before the large curtain's pulled back, let me, while I am speaking to you, explain a couple of things. The red folder on the desk has your written statement in it. Thank you for providing that. That's part of your evidence and it has given me the opportunity to study what you have to say for your written statement in advance. It is there for you to refer to if you want to, but you don't have to.

We will also bring your statement up on the screen, taking you to parts of it that we want to discuss particularly with you. You might find that helpful. It is quite a nice clear screen, with a large font.

Otherwise, 'Petrie', I want to do anything I can to make the process of giving evidence here as comfortable for you as I can, so please do let me know if there is anything I can do to help. If you want a break at any time, that's not a problem, whether staying where you

1 are or leaving the room. Don't think, 'I can't do that
2 because there is all of this kerfuffle with the curtains
3 to deal with', don't worry about that, we can do that if
4 that's what you want.

5 If you don't understand what we are asking, that's
6 our fault, not yours. So tell me and we can try to
7 explain things better. That's the general drift. If it
8 works for you, it will work for me to help you give your
9 evidence; all right?

10 A. (Nods).

11 LADY SMITH: If you are ready, we will carry on to the next
12 stage.

13 (Pause)

14 'Petrie', I am now going to invite Mr Sheldon to
15 start asking you about your evidence.

16 Mr Sheldon.

17 Questions by Mr Sheldon

18 MR SHELDON: Thank you, my Lady.

19 Good morning, 'Petrie'. I don't need your date of
20 birth, but I think you were born in 1971; is that right?

21 A. Say that again, sorry.

22 Q. I think you were born in 1971; is that right?

23 A. Yes.

24 Q. I am just going to read the reference number of your
25 statement for the record. You don't need to concern

1 yourself with that. It is WIT-1-000001321.

2 Now, 'Petrie', as Lady Smith said, your statement is
3 in the red folder in front of you on the desk. I wonder
4 if you could just open that for me, please, at the last
5 page.

6 Now, 'Petrie', is that your signature?

7 A. Yeah.

8 Q. All right. You have signed it in August last year,
9 I think?

10 A. Yeah.

11 Q. And you say, at paragraph 187:

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

16 Is that all still the case?

17 A. Yes.

18 Q. Now, 'Petrie', I think you are here to tell us about
19 something that happened to you in Burnside Assessment
20 Centre, in Dundee in 1983 or 1984; is that right?

21 A. Mm-hm.

22 Q. If you could just say 'yes' for the record, 'Petrie', it
23 just helps us to keep a record of what's happening.

24 LADY SMITH: 'Petrie', something I probably should have
25 explained is that your evidence is being transcribed,

1 that's what these people are doing, who are sitting here
2 helping, so we need you to speak with your answers,
3 because then they hear your answers, and they go into
4 the transcript. Thank you.

5 MR SHELDON: Thank you, my Lady.

6 So 'Petrie', I think it is fair to say that your
7 early life was quite difficult; is that right?

8 A. Yes.

9 Q. You had two siblings, I think a brother, who sadly has
10 now passed away?

11 A. Yeah.

12 Q. But there were some problems, I think, between your
13 mother, your birth mother, and your father; is that
14 right?

15 A. Could you say that again, please? Thank you.

16 Q. I think there were some problems between your birth
17 mother and your birth father; is that right?

18 A. Yeah.

19 Q. And I think perhaps you witnessed your birth father
20 being abusive to your mother?

21 A. Yeah.

22 Q. On occasion?

23 A. Yes.

24 Q. Ultimately, I think your mother required some
25 psychiatric help, given everything that was happening?

1 A. Could you say that again, please? Sorry, I am --
2 Q. I think your mother ultimately needed psychiatric
3 treatment; is that right?
4 A. Yeah.
5 Q. And social services became involved --
6 A. Yes.
7 Q. -- with the family? I think when you were about four
8 you were taken into care in a Family Group Home; is that
9 right?
10 A. Yes.
11 Q. And that was a place in Perth?
12 A. Yes.
13 Q. I think the Family Group Home was run by a couple --
14 I don't need their names, but it was run by a couple who
15 ultimately became your adoptive mother and father; is
16 that right?
17 A. Yes.

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19 The social work department did, by moving us out of
20 there, Secondary Institutions - to be published later

21 Secondary Institutions - to be published

22 Q. Yes. I think you were there, at the Family Group Home,
23 for about seven years; is that right?

24 A. Mm-hm. Yeah.

25 Q. And your time there fairly abruptly came to an end; is

1 that right?

2 A. Yeah.

3 Secondary Institutions - to be published later

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11 LADY SMITH: Okay.

12 A. I am not explaining this very well.

13 LADY SMITH: No, you make that quite clear.

14 Mr Sheldon.

15 MR SHELDON: Thank you, my Lady.

16 'Petrie', if we just go back a little bit, am

17 I right in thinking that you would be about four when

18 you went to the Family Group Home?

19 A. Yeah.

20 Q. That would be about 1975?

21 A. Yeah.

22 Q. Yes. And when your placement there came to an end, that

23 would be about 1982; is that right?

24 A. Yeah.

25 Q. So you would be about 11 at that stage?

1 A. Yes.

2 Q. Did you get any warning that your time at the Family
3 Group Home was ending?

4 A. Say that again.

5 Q. Did you get any warning that your time at the Family
6 Group Home was coming to an end?

7 A. Is -- what you are saying is: did we get warning when
8 the place was closing?

9 Q. Yes.

10 A. Ten minutes.

11 Q. Oh, right.

12 A. Ten minutes.

13 Q. You got ten minutes' notice?

14 A. Not even ten minutes.

15 Q. Oh, right.

16 A. It was like -- we got told they were closing the place.
17 You had to get your stuff and go.

18 Q. They were closing the whole home then?

19 A. Yeah.

20 Q. Had the council decided that they were going to do away
21 with Family Group Homes?

22 A. I think that probably was one of the reasons. Secondary Institut

23 Secondary Institutions - to be published later

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1 Q. Okay.


2 A. They called the place that and then they turned it.

3 Q. And I think you tell us in your statement that at that
4 point you were pretty upset?

5 A. Mm-hm, definitely.

6 Q. Did you think that you weren't going to see your auntie
7 and uncle again?

8 A. Well, I just made up my mind I was going to see them,
9 so ...

10 **Secondary Institutions - to be published later**
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13 Q. Sure.

14 A. -- so ...

15 Q. I think we all understand that, 'Petrie'. There is no
16 suggestion of that at all.

17 At all events, when your time at the Family Group
18 Home ends, I think you initially go to one children's
19 home in Perth and then quite quickly to another one; is
20 that right?

21 A. Mm-hm, yeah.

22 Q. Can you remember, first of all, I think you were at
23 Colonsay?

24 A. Yeah.

25 Q. That was quite quick, you were only there for a few

1 days; is that right?

2 A. I wasn't there for very long, a couple of days, and then
3 I think I went somewhere else. And they didn't --
4 I think I went to somebody that did -- well, it
5 wasn't --

6 Q. Would it have been Scone Children's Home?

7 A. I went to stay with folk. It was like -- I am trying to
8 explain it.

9 God, I am not getting anywhere. It is like you
10 would go and -- I am not explaining this.

11 Q. It is all right, take your time.


12 A. We went to stay with them two people, but it was ...

13 LADY SMITH: Don't worry about names of places. I think if
14 we go back to Colonsay, we know you were only in
15 Colonsay for a matter of days. Then I think what you
16 told us in your statement, and actually you won't see
17 it, because it has been redacted, is that you then went
18 to a children's home that was also in Scone, Perth way.

19 A. Yes.

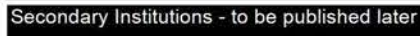
20 LADY SMITH: And you were there for a wee while.

21 A. Yes. The place where I stayed in Scone Children's Home,

22  Secondary Institutions - to be published later

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25  Secondary Institutions - to be published later And then eventually they

1 brought me through to Dundee and locked me up. And then
2 eventually it was all turned round, and eventually they
3 let me go back to it.

4 Q. We will come on to that, 'Petrie'. But, just to get
5 a wee bit more detail on that: you were at Scone
6 Children's Home just outside Perth, I think?

7 A. Mm-hm.

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1 I wouldn't let that -- I couldn't let that happen
2 because there was no -- they never -- they never fully
3 explained anything to you. They never -- at the time of
4 the place closing, it was just you were there, you were
5 out, you were gone. You were just moved, just like
6 that. There wasn't even a -- they should have actually
7 discussed things more with you, but they didn't.

8 Q. Well, I was just about to ask you that, 'Petrie'. Was
9 there any kind of meeting or Children's Panel, or
10 conversation even where you were told that --

11 A. No, there was nothing.

12 Q. -- you would be going to, well, in this case Burnside?

13 A. Secondary Institutions - to be published later

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21 Q. I just wanted to get from you whether, before you went
22 to Burnside, there was any conversation with you about
23 what you wanted to do?

24 A. Hmm. I don't know what to say. But there was a lot of
25 things that they should have done, that they should

1 have -- how do I explain it?

2 They should have -- they shouldn't just have
3 somebody ... the way they did things to me, and the way
4 I am now, and the way it has followed me through my life
5 is because of the social work department and what they
6 have done. And I will never -- I will never forgive for
7 what they did to me by taking me away from there,
8 because they ruined my life.

9 Q. Can I just ask you this, 'Petrie': did they give you any
10 choice in where you went after Perth?

11 A. Yeah, I had no choice, no choice. I just had to do what
12 I was told. And then I just did what I was told, and
13 went to ...

14 Q. But ...

15 A. Secondary Institutions - to be published later

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17 Secondary Institutions It is just it's -- it was a horrendous,
18 horrendous situation.

19 Q. So did someone from Perth social work department -- did
20 someone take you from Perth to Dundee to Burnside?

21 A. Say that again.

22 Q. Did someone take you from Perth to Dundee to Burnside?

23 A. Say that again, sorry. Sorry.

24 Q. Did any social worker from Perth take you to Burnside?

25 A. Er, no, no.

1 Q. Okay.

2 A. Yes, they did. Yeah. They take me to the place in --

3 the place in -- in --

4 Q. This is Burnside you are talking about?

5 A. Yes, to the place in Dundee. I am sorry, I am no --

6 Q. It is all right.

7 A. I am not being very ...

8 Q. Please don't worry. Take your time.

9 You say about Burnside that it was a total shock to

10 you. Can you just tell us about that, why it was such

11 a shock?

12 A. Well, when we arrived there they take you to this room,

13 take off all of your clothes, give you other clothes.

14 You were -- all your stuff was, just -- well, I don't

15 know what I was expecting, but I certainly wasn't

16 expecting to lose all my clothes and everything. And

17 they gave you clothes and, basically, you weren't

18 allowed anything of your own unless you were going out

19 of the place or going away for the weekend, or going

20 some place. But it was -- they didn't tell you that

21 this was going to be happening; it just happened.

22 Q. What did you think of Burnside when you first arrived,

23 when you first saw it?

24 A. Burnside?

25 Q. What did you think of it?

1 A. Some size of a place, yeah. It was not where I expected
2 to be going. I didn't expect to be going to a place --
3 I don't know what I was expecting, but it certainly
4 wasn't that.

5 Q. You say it was a big place.

6 A. Mm-hm.

7 Q. Can you say what your impression of it was when you
8 first arrived?

9 A. Say that again. Sorry.

10 Q. Well, I think you say later in your statement that it
11 just seemed like a prison; is that what you thought of
12 it when you first arrived?

13 A. Yeah, it was just like a prison. It was ... aye. You
14 were just -- aye, it was just -- I don't know how to
15 explain it. It is not what I expected to be going --
16 what I was expecting -- I wasn't expecting to be seeing
17 anything like this.

18 Q. **Secondary Institutions - to be published later**

19 A. Yes.

20 Q. Okay. You tell us Burnside was full of locked doors and
21 it was secure; is that right?

22 A. Yeah.

23 Q. And you say there were two units, a junior unit and
24 a senior one?

25 A. Yeah.

1 Q. But you were in the junior unit downstairs; is that
2 right?

3 A. Yeah, I was down the stairs, yes.

4 Q. Okay. So did you have much contact with the children
5 that were upstairs in Burnside?

6 A. We all had our meals at the same -- in the dining room.

7 Q. All right.

8 A. But not really that much contact.

9 Q. Okay. And what about the staff; was it a separate group
10 of staff that worked upstairs and downstairs?

11 A. Yes, definitely, aye.

12 Q. All right. Did you have much contact with the staff at
13 all from upstairs?

14 A. Not really, no.

15 Q. Did anyone explain to you what you were doing there?

16 A. Say that again, sorry.

17 Q. Did anyone explain to you what you were doing there, why
18 you were there?

19 A. I don't know. Just ... I don't know what to say, no.
20 Say that again and I'll ...

21 Q. Did anyone tell you why you had been taken to Burnside?

22 A. Just, I don't know what to say, I'm sorry.

23 Q. It's okay.

24 LADY SMITH: 'Petrie', if you can't remember, just tell me
25 you can't remember, that's okay; all right? It is

1 a long time ago.

2 A. Yeah.

3 LADY SMITH: I understand that. We are talking when you
4 were still a child; all right?

5 MR SHELDON: 'Petrie', you have told us that they took your
6 clothes away and you had to wear Burnside's clothes.
7 And I think on the day that you arrived you were told
8 you had to go and have a shower, and someone took you to
9 have a shower; is that right?

10 A. Mm-hm, yeah.

11 Q. And this person, a male staff member, you say, you said
12 that he examined you while you were naked.

13 A. Yes.

14 Q. Do you remember that?

15 A. Yeah.

16 Q. Can you tell us what happened? Can you tell us what
17 happened, please?

18 A. Say that again.

19 Q. Can you tell us what happened when he examined you?

20 A. I am getting -- could I have five minutes, if you don't
21 mind?

22 LADY SMITH: Do you want to leave the room, or do you just
23 want to sit quietly?

24 A. I want to go for five minutes.

25 LADY SMITH: You want to leave the room?

1 A. Yeah, sorry.

2 LADY SMITH: Just let us pull the curtains across and we can
3 do that.

4 Right, okay.

5 (The witness withdrew)

6 LADY SMITH: I will rise and you can let me know when we can
7 carry on.

8 (10.36 am)

9 (A short break)

10 (10.51 am)

11 LADY SMITH: 'Petrie', welcome back. I hope the break was
12 some help. Are you okay for us to carry on now?

13 A. Yes.

14 LADY SMITH: I will ask Mr Sheldon to continue, then.
15 Mr Sheldon.

16 MR SHELDON: 'Petrie', hello again.

17 A. Hello.

18 Q. 'Petrie', before we took a break, I was just asking you
19 about, really, your first day in Burnside and about what
20 happened to you on that first day. I think you told us
21 in your statement that you had to take a shower, and
22 a male member of staff was with you and he was examining
23 you; can you just tell us about that examination and
24 what happened to you then?

25 A. Well, you went in, you had your shower thing, he was --

1 I didn't expect somebody to be there all the time.
2 Basically, you were given other things to wear, not your
3 own stuff. I didn't expect that. So I don't know quite
4 what I really expected, but it certainly wasn't what
5 happened on the day.

6 Q. Yeah. Could you tell us a bit about what did happen?
7 A. Well, what happened was just what I have said. Could
8 you ask me it again? And I will -- sorry, I am not
9 doing this very well.

10 Q. No, you are doing fine. Don't worry about it.
11 You tell us in your statement that this member of
12 staff got you to follow him to a shower room and he
13 removed your clothing. And after you got undressed, he
14 examined you, you were naked by this point. You said he
15 was wearing latex gloves --

16 A. Mm-hm.

17 Q. -- could you just tell us what happened then?
18 A. There was nothing that guy -- what happened there,
19 nothing happened in that room -- anything -- anything
20 that shouldn't have happened. It wasn't -- there was
21 nothing happened there. He was just there ...

22 LADY SMITH: Did he touch you?
23 A. Not there.

24 LADY SMITH: Right, okay.

25 MR SHELDON: Okay.

1 LADY SMITH: Why did he have gloves on?

2 A. Say that again, sorry.

3 LADY SMITH: Why was he wearing gloves?

4 A. He was there making -- just -- well, when I got

5 showered -- when I got cleaned, showered and that, he

6 took clothes off me and gave me other clothes. I don't

7 know.

8 LADY SMITH: Okay.

9 A. I can't really explain it to you, sorry.

10 LADY SMITH: That's fine. Okay.

11 MR SHELDON: I think after the shower, 'Petrie', I think you

12 tell us that this is when this member of staff gave you

13 some clothes to wear.

14 A. Yeah.

15 Q. And he took you to the bedroom that you were going to be

16 sleeping in.

17 A. Mm-hm.

18 Q. Was it a bedroom just by yourself? Were you in a room

19 on your own?

20 A. The bedroom? That was -- that was my -- well, it was my

21 bedroom. Aye, it was only me that was in there.

22 Q. Okay. You tell us in your statement that he sat on the

23 bed beside you and explained that, well, Burnside Secondary In

24 Secondary Institutions - to be published later

25 A. Yes.

1 Q. 'And he was trying to advise me how things were done
2 there and how I could best survive it.'

3 Can you remember what he said about surviving and
4 what you would have to do to survive it?

5 A. Could you say that again, please? Sorry.

6 Q. It's okay.

7 LADY SMITH: Don't worry. 'Petrie', you remember I said to
8 you: you are allowed to look at your statement if it
9 would help.

10 A. Yeah.

11 LADY SMITH: We are looking at what's written at
12 paragraph 98. Do you see there is a statement that is
13 in your red folder there? It might help you if you want
14 to remind yourself of what's in it.

15 A. I don't think I can do this. Everything's been wrong, I
16 think.

17 MR SHELDON: Take your time, 'Petrie'.

18 (Pause)

19 LADY SMITH: 'Petrie', I see from what you explained when
20 your written statement was taken that you were very
21 upset at this stage. You told us then that you also had
22 a memory of this man trying to, as it's put in that last
23 sentence, advise you how things were done at Burnside --

24 A. Mm-hm.

25 LADY SMITH: -- and what you would need to do to survive it;

1 do you remember that?

2 A. Yeah.

3 LADY SMITH: Do you remember any of the advice that he gave
4 you?

5 A. They never really said too much. But all what happened
6 at this place, Secondary Institutions - to be published later
7 Secondary I and it all just happened.

8 LADY SMITH: Yes.

9 A. And it is -- Secondary Institutions - to be published later
10 Secondary Institutions - this is -- how do I explain it?

11 LADY SMITH: I think you are doing really well, actually.
12 It was really different.

13 A. This is totally, totally -- this is not what
14 I assumed -- well, I don't know what I assumed about the
15 social work department, but this is not what I assumed.
16 This was everything from -- everything that you did
17 there or did there, or whatever you did, anything,
18 simple, basic, whatever, it just wasn't what was
19 expected. And you didn't get anyone to talk to or
20 anyone to say, 'Oh, look, God', you just had to get on
21 with it. You just had to keep going with it, so ...

22 LADY SMITH: So when you were drawing your finger across
23 your lip; are you trying to tell me the message
24 was: just keep your mouth shut?

25 A. Mm-hm.

1 LADY SMITH: Got you. And you were only 12?

2 A. Yes.

3 LADY SMITH: And this was new and horrible?

4 A. Yes, a bad place.

5 LADY SMITH: Right.

6 Mr Sheldon.

7 MR SHELDON: And were you just feeling a bit lost, 'Petrie'?

8 A. Say that again.

9 Q. Were you just feeling a bit lost at Burnside?

10 A. The place was just ... how do I explain it? The place

11 was just diabolical, I am afraid.

12 LADY SMITH: Okay.

13 A. I am not -- I am not explaining myself very well.

14 MR SHELDON: You are doing fine, 'Petrie'.

15 A. I am really not explaining myself. I am normally --

16 I can explain myself better, but ... what that place did

17 to me, I tell you.

18 Q. I think you --

19 A. And they just got away with it.

20 Q. At another part of your statement, you tell us that one

21 of the other members of staff took you to school, and

22 I think -- was the school inside Burnside?

23 A. The school was inside the place, yeah.

24 Q. There were classrooms there?

25 A. Yes.

1 Q. But she would lock the doors behind you when you went
2 there; is that right?

3 A. Yeah. The school was -- well, if you could call it
4 a school. It was just, oh --

5 Q. What were the lessons like?

6 A. Well, you never really -- really, you never got, really,
7 proper school, what would you get going to a normal
8 school and getting things. It was just -- how do I put
9 it? It was just an uproar. The place was --

10 LADY SMITH: The way you put it in your written statement,
11 when you gave us that, was that it was just
12 a disorganised mess.

13 A. Yeah, the place was ... the staff were -- they were nice
14 there, but there was really nothing like a -- it
15 wasn't -- if you were going in there expecting it to be
16 like a school, it is definitely not like a school. Not
17 even one iota, not even an inch.

18 LADY SMITH: Okay.

19 A. You went in there and it could be uproar. It could
20 change within two seconds. It could be fine one minute,
21 and the next minute they were all ... it wasn't what
22 I was expecting.

23 LADY SMITH: Okay, I have a very clear picture. Thank you.

24 MR SHELDON: Was it like that, 'Petrie', because other
25 children were kicking off? Would they kick off, act up,

1 make noise?

2 A. It's just the way the place was. It's just it was

3 all ... it was all ...

4 I am not actually explaining myself very well here.

5 Q. You are doing fine.

6 I think while you were at Burnside you still had

7 some contact with your birth mother; is that right?

8 A. With my?

9 Q. When you were at Burnside, you still had contact, some

10 contact, with your birth mother?

11 A. With my mother -- my -- yeah, aye. Yes, I did. She

12 wanted me to -- the lady that they didn't want me seeing

13 anymore, she wanted -- my birth mother wanted me to go

14 back to where I was in ...

15 Q. In Perth?

16 A. To go back to -- I was ... the ...

17 LADY SMITH: Is this about you being able to go back and

18 spend some time with the woman from the Family Group

19 Home?

20 A. Yeah, my birth mother kept putting me to go there. She

21 realised that that's what should be happening.

22 LADY SMITH: Yes.

23 A. And then when I was in the place in Dundee, she would

24 come and get me, and then she would put me to her.

25 LADY SMITH: Right, yes.

1 A. So there were -- it was ... well, when your own birth
2 mother is seeing that you should be there, and they are
3 saying no, so ...

4 LADY SMITH: Yes.

5 A. But then we got -- eventually got it all sorted out.
6 But it meant me having to take an overdose.

7 LADY SMITH: Yes, I know.

8 A. And that was to get them to stop, look and listen.
9 I didn't want to kill myself. I definitely didn't want
10 to kill myself, but I had to get them to stop and
11 listen, to see what they were actually doing to me.
12 They were killing me.

13 LADY SMITH: Yes.

14 A. So, aye.

15 MR SHELDON: So I think you were going back then, you were
16 going back to Perth some of the time.

17 A. Yeah.

18 Q. Is that right?

19 A. Yes.

20 Q. But most of the time you were in Burnside during this
21 period?

22 A. Say that again.

23 Q. While you were at Burnside you would sometimes be going
24 to Perth?

25 A. Yes.

1 Q. But a lot of the time you were in Burnside?

2 A. Yeah.

3 Q. And I think you tell us in the statement that was pretty
4 boring and not very pleasant?

5 A. Yeah.

6 Q. I think at some point something particularly unpleasant
7 happened to you; is that right?

8 A. Mm-hm.

9 Q. You tell us in your statement that you were in your bed.
10 You say that you must have fallen asleep. This is
11 paragraph 123. You say that two male members of staff
12 entered the room. Now, first of all, did you know these
13 members of staff?

14 A. Er, I knew who the folk were from just being around the
15 place.

16 Q. All right. You had seen them around the unit?

17 A. Yes.

18 Q. Okay. Can you describe them at all?

19 A. I didn't actually -- well, I don't know what I expected,
20 but I didn't expect what happened to me.

21 Q. All right.

22 A. But --

23 Q. Can you describe these two members of staff at all? Can
24 you tell us what they looked like?

25 A. I don't know if I can.

1 Q. Was it dark at the time? Were the lights on or off in
2 your room, do you know? Do you remember?

3 A. I don't know if the light was on in my room or not.
4 I don't think the room was dark.

5 Q. So you recognised them, but you can't really remember
6 what they looked like?

7 A. Yeah.

8 Q. Okay. And I know this may be difficult, but can I ask
9 you: what happened then? What did they do?

10 A. Say that again.

11 Q. Can I just ask you: what happened then? What did these
12 members of staff do?

13 A. Yeah, well, things. How do I explain it? It is very
14 difficult.

15 Q. Take your time, 'Petrie', it's fine. I know it is
16 difficult.

17 A. Well, things happened and, well, they sort of touched
18 you and things.

19 LADY SMITH: Where did they touch you, 'Petrie'?

20 A. On my legs and then ...

21 LADY SMITH: Was that on top of your pyjamas or under your
22 pyjamas?

23 A. I had my -- I had clothes on at this point.

24 LADY SMITH: You had clothes on?

25 A. Yes, yes.

1 LADY SMITH: Okay. So did they touch you over your clothes
2 or under your clothes?
3 A. I am not explaining this very well, but I had clothes on
4 and then I didn't have clothes on. I can't actually
5 tell you exactly.
6 LADY SMITH: All right. Okay, that's fine.
7 A. I can't tell you exactly.
8 LADY SMITH: So you have a memory of you having clothes on.
9 A. Yes.
10 LADY SMITH: You have a memory of your clothes being off.
11 Were the men still there when your clothes were off?
12 A. Yes.
13 LADY SMITH: What were they doing?
14 A. They were, well, touching me and ...
15 MR SHELDON: Where were they touching you, 'Petrie'?
16 A. Down below.
17 LADY SMITH: Okay. Between your legs?
18 A. Mm-hm.
19 LADY SMITH: On your private parts?
20 A. Yeah.
21 MR SHELDON: And did they do anything else, 'Petrie'?
22 (Pause)
23 You can look at your statement if that helps.
24 A. Yeah. They did touch me. They did what they did.
25 LADY SMITH: Okay, when you say that; what are you telling

1 me?

2 Help me with this: did you stay lying on your back

3 or were you lying on your front?

4 A. I was lying on my bed by this time.

5 LADY SMITH: Mm-hm.

6 A. And ...

7 MR SHELTON: You said just a minute ago, 'Petrie', 'They did

8 what they did'; could you just tell us what --

9 A. They did what they did. They felt me up down below.

10 What exactly could I do? I just had to let them do what

11 they were doing. There was nothing I could do to --

12 I couldn't get them to stop doing anything.

13 MR SHELTON: What were they doing to you, 'Petrie'?

14 A. They were feeling my down belows.

15 LADY SMITH: Mm-hm.

16 MR SHELTON: Did they hurt you?

17 A. What they did to me couldn't hurt me, no. I knew what

18 they were doing -- it wasn't right what they were doing,

19 but it didn't hurt me.

20 LADY SMITH: Okay.

21 A. It didn't hurt me.

22 MR SHELTON: So you tell us later in your statement that you

23 had to go to hospital afterwards.

24 A. Yeah.

25 Q. Is that right? And you were bleeding; where were you

1 bleeding from?

2 A. Because what they had done at the other end of me,
3 I was -- there was blood coming out of there, so they
4 took me to hospital and they did something in the
5 hospital. I don't quite know what they did, but then
6 I was brought back. So it all happened very -- it just
7 seemed to happen.

8 LADY SMITH: Okay. 'Petrie', when you say 'the other end';
9 are you talking about your bum?

10 A. Yes.

11 LADY SMITH: There was blood coming out of your bum?

12 A. Yes.

13 LADY SMITH: And this was just after the men had been doing
14 these things?

15 A. What they had done to me, that's -- it wasn't just right
16 the same second, but I had to go to them and say to
17 them, 'Look, there is stuff coming out the back', so
18 they decided to take me to hospital. I went and saw
19 a doctor at the hospital. They did what they did. They
20 did something up there, and I was straight back to the
21 place. I was no sooner there, and I was there.

22 LADY SMITH: Okay.

23 A. It is as if they wanted me in, out and back, without too
24 many people knowing what was going on.

25 MR SHELTON: Just so that we properly understand, 'Petrie':

1 you were bleeding from your bum because of what these
2 men had done to you?

3 A. Yeah.

4 Q. How many men had done what they did? Was it two? Was
5 it more than two?

6 A. I think there was two or three. I think. I am not
7 100 per cent.

8 Q. In your statement, I think you say that there were four
9 members of staff in the room.

10 A. Mm-hm.

11 Q. Did they all do that to you?

12 A. Mm-hm.

13 Q. All right.

14 A. They all -- all the ones that were there, did to me.

15 Q. Did they put something in your bum to make it bleed?

16 A. They put their person, them. They put their
17 what-do-you-call-it up my bum.

18 LADY SMITH: Yes.

19 MR SHELDON: Their penis?

20 A. Yes.

21 Q. And they all did that, you think?

22 A. Yes, every one of them did it.

23 Q. And after that you were bleeding; was there a lot of
24 blood?

25 A. There was quite a lot of -- quite a lot of stuff.

1 Q. And so was it these members of staff -- the members of
2 staff that did this; was it them that took you to
3 hospital?

4 A. It was them that take me to the hospital, yeah.

5 Q. Okay. Do you know what they said to the staff at the
6 hospital?

7 A. I don't.

8 Q. Okay. Who did you speak to at the hospital? Did you
9 speak to a nurse? Did you speak to a doctor?

10 A. I saw someone at the hospital. They had obviously told
11 them what I had said; there was something wrong there.
12 They looked at that. They never said too much to me.
13 And they did something, and I was no sooner there and
14 I was back out. It seemed to be that I was there one
15 minute and there -- back the next minute.

16 Q. All right.

17 A. So it wasn't explained to me exactly what they did.

18 Q. Okay.

19 A. What the hospital did.

20 Q. In your statement, 'Petrie' -- and I am looking at
21 paragraph 130 -- you tell us that the surgeon came to
22 speak to you; do you remember him doing that?

23 A. That could be, that could be.

24 Q. You say in your statement that the surgeon told you that
25 he knew what had happened to you:

1 'And he could help me.'

2 A. Aye, he said he could do something to help me. Well, I
3 told him: there is nothing you can do to help me.
4 I have to go back there. There is nothing you can do.

5 That's what I said to him. So I was going back
6 there; what could he do? Nothing.

7 Q. Did he say that he was going to report what had happened
8 to you to anyone?

9 A. I couldn't honestly -- I couldn't honestly say for sure.

10 Q. You don't know. All right. All you know is you had to
11 go back to Burnside after that.

12 A. I assume he would -- being there, I assume that they
13 would have told someone else, but I don't know.

14 Q. Did you stay in the hospital overnight, 'Petrie'?

15 A. Overnight in the hospital? No. I think they wanted me
16 in there and out. I don't think they wanted -- what had
17 happened to me and what was done to me, I don't think
18 they wanted it -- how do I put it?

19 They wanted it -- they wanted it as if it never
20 happened. They wanted it all put away.

21 LADY SMITH: Yes.

22 A. Because I was no sooner in one place, the next place,
23 and then back. They obviously didn't want people to
24 know too much about what had happened to me that night.
25 And I don't know who knew or who didn't know, or what,

1 but I know exactly what happened to me.

2 LADY SMITH: Did they say anything to you about whether you
3 should talk about it?

4 A. No, they never said anything. They never ... what
5 happened, happened, and then that was it.

6 LADY SMITH: Right.

7 A. I was just left to get on with it.

8 MR SHELDON: So did anyone speak to you about it the next
9 day, for example?

10 A. No. This -- what we are going on about just now, that
11 has -- I had asked to get my whole -- all about my ...
12 what am I trying to say? All my information about me
13 that was with the social worker, got all that --

14 Q. Your records? Are you talking about your records,
15 'Petrie'?

16 A. Yeah, and this was all in it. So that -- what had
17 happened to me there, that was all just -- it was all
18 away. It was away for years, years. And then I decided
19 that I needed to find out exactly what was thingmied.

20 And then there was a woman, she helped me go through
21 it all and everything. And she mentioned the fact of
22 what happened to me, and she says: that place has been
23 mentioned and you can take it further.

24 But I hadn't, prior to all this was going to take it
25 any further.

1 LADY SMITH: Do you think that there was something in your
2 social work records about going to hospital?
3 A. Something.
4 LADY SMITH: Anything written in your social work records
5 about you having to go to hospital?
6 A. I don't think there was.
7 LADY SMITH: Right, okay.
8 A. Maybe there was. I am not sure. I don't think so.
9 There was that much written in the thing.
10 MR SHELDON: Was this a lady from Perth and Kinross Council
11 who helped you go through your records?
12 A. Say that again.
13 Q. Was there a lady from Perth and Kinross Council that
14 helped you go through your records?
15 A. Well, I had asked to get the thing. It was a woman from
16 Perth and Kinross, aye, Council, it was a woman.
17 Q. But when you were going through them; did you find
18 anything about this thing that you have just told us
19 about?
20 A. Yes. And she went through it all. Yeah, yeah, she
21 went -- aye.
22 Q. But, I am sorry, did you find anything about this
23 incident, this thing that happened to you at Burnside?
24 A. So, what happened to me, I didn't need to see it in that
25 book. I knew what happened to me.

1 Q. Absolutely. I am just asking you --

2 A. There was very little written in it. I think there was

3 very little written in that about that situation,

4 anyway.

5 Q. Okay.

6 Have you -- did you report what happened to you to

7 anyone? Did you tell anyone what had happened to you?

8 A. Report to?

9 Q. Did you tell anyone what had happened to you?

10 A. Not -- no. No, I didn't report, no. No.

11 Q. Is this really the first time that you have been able to

12 speak about it, 'Petrie'?

13 A. Yes.

14 LADY SMITH: Did you keep it secret until now?

15 A. I don't think I kept it secret. It was just in my head.

16 It was in my --

17 LADY SMITH: Okay. When you were a child and you were in

18 Burnside still --

19 A. Yes.

20 LADY SMITH: -- did you keep it secret then?

21 A. It was still in me.

22 LADY SMITH: Still in you?

23 A. Aye.

24 LADY SMITH: Had anybody told you that it was a secret?

25 A. Say that again.

1 LADY SMITH: Had anybody told you that it was to be kept
2 secret?

3 A. No, no, no.

4 LADY SMITH: Okay.

5 A. No.

6 MR SHELDON: I think you are telling us, 'Petrie', that just
7 no one spoke about it again; is that right?

8 A. No one spoke about it.

9 MR SHELDON: Okay.

10 A. And even if I had said something at the time, probably
11 nothing would have been done anyway. So that's probably
12 how I probably never said any more -- any more about it.

13 MR SHELDON: 'Petrie', I think we know that after your time
14 at Burnside you went back to Perth and, ultimately, you
15 went back to stay with your auntie and uncle from the
16 Family Group Home.

17 A. Say that again, sorry?

18 Q. After your time at Burnside, you tell us in your
19 statement that you went back to Perth?

20 A. Yes.

21 Q. And in the end you got back to stay with your auntie and
22 uncle; is that right?

23 A. Yeah, yeah. Yeah.

24 Q. And, finally, I think you felt that was the right place
25 for you to be?

1 A. And then she adopted me.

2 Q. It took a long time, didn't it?

3 A. Years. Years. The social work -- what the social work
4 did was wrong.

5 Q. What effect do you think all this had on you, 'Petrie'?
6 All your time in care, in Burnside, and so on.

7 A. It was done to me. It is there all the time. That will
8 never be away from me.

9 Q. Do you think that we can learn anything from what
10 happened to you?

11 A. Say that again, sorry?

12 Q. 'Petrie', we, the Inquiry, are here to learn how to do
13 things better for children in care. What do you think
14 we can learn about how to do things better?

15 A. They need to -- people that are in -- they need to
16 explain things properly, normally, to people. Not with
17 big fancy words, or say this or say that. They need to
18 say -- say -- how do I explain it? Nobody explained to
19 me exactly what I was thinking, what I was -- why I was
20 there, what happened to me. Nobody went through that or
21 spoke to me, or anything. You were just left and
22 deserted. And that, to me, is wrong.

23 The only person that really bothered was the woman
24 that eventually I got adopted to. And that, to me, was
25 four or five years of hell that shouldn't have been

1 allowed to happen.

2 Q. And that was really --

3 A. And did happen.

4 Q. -- because nobody really asked you how you felt; is

5 that right?

6 A. Nobody would listen to you, nobody -- couldn't care less

7 what you said. Whatever we said wasn't really listened

8 to. Definitely wasn't listened to. We were just --

9 I don't know how to explain it. But whatever we said,

10 they weren't usually that -- that interested.

11 Q. Well, 'Petrie', I have asked you a lot of questions,

12 I think you have been incredibly brave doing what you

13 have done today. I don't want to ask you anything else.

14 Is there anything else that you would like to say?

15 A. I just hope that somebody actually listens and sees.

16 Try not to let this happen to anyone else.

17 Because although I was with the social work

18 department since I was very young, the way that they

19 treated me, they left us to have a sort of, like a -- it

20 was called a Family Group Home. **Secondary Institutions - to be published**

21 **Secondary Ins** And then all of a sudden everything changed.

22 Then you were put -- you hadn't even seen a -- you

23 **Secondary Institutions - to be published later**

24 **Secondary Institutions - to be published later** the big place where

25 I stayed. We didn't even realise that -- we didn't even

1 know that existed. The things that they didn't explain
2 to you, and didn't help you, was cruel. And I will
3 never forgive them.

4 LADY SMITH: Okay, 'Petrie', thank you for helping us with
5 your evidence, both your written evidence and your
6 statement.

7 A. I am sorry --

8 LADY SMITH: Don't apologise.

9 A. I am sorry I have not said things very right.

10 LADY SMITH: I think you have said things very clearly.

11 I have listened carefully to everything you have said,
12 and it has been really helpful.

13 Moreover, I can see that it has been difficult for
14 you to come here today and do what you have done, and
15 you have done so well.

16 A. Thank you.

17 LADY SMITH: Thank you for that.

18 A. Thank you.

19 LADY SMITH: You are free to go now. I hope the remainder
20 of today is a lot more relaxing than this morning has
21 been for you. But, if you just hang on a minute, we are
22 going to shut that curtain.

23 (Pause)

24 Thank you.

25 A. Thank you.

1 (The witness withdrew)

2 LADY SMITH: Thank you. I will take the morning break now,
3 and the next witness should be ready around 11.45,
4 I hope. Thank you.

5 (11.29 am)

6 (A short break)

7 (11.45 am)

8 LADY SMITH: Ms Forbes.

9 MS FORBES: My Lady, the next witness is an applicant, and
10 he is anonymous and wishes to be known as 'Marshall'.

11 LADY SMITH: Thank you.

12 Good morning, 'Marshall'.

13 A. Morning.

14 LADY SMITH: Could you repeat after me, please.

15 'Marshall' (affirmed)

16 LADY SMITH: 'Marshall', do sit down and make yourself
17 comfortable.

18 A. Thank you.

19 LADY SMITH: 'Marshall', I will hand over to Ms Forbes in
20 a moment, but before that a couple of things I would
21 like to explain.

22 Firstly, the red folder on the desk there has your
23 statement in it, your written statement, if you want to
24 refer to that feel free to do so. We will also bring
25 parts of the statement up on screen, because there are

1 some sections that we would like to ask you some
2 questions about.

3 But can I just confirm that your written statement
4 is also evidence before me. It has been really helpful
5 to have it in advance. I have studied it, and that is
6 part of the Inquiry evidence. So, if we don't take you
7 to any particular parts of it, it doesn't mean that you
8 haven't given that evidence, it is just that it is not
9 something that we need to discuss today.

10 But, 'Marshall', other than that I do understand
11 that coming along to do what you have agreed to do today
12 is a big ask. You are giving evidence in public about
13 things that happened in your life when you were a child
14 and it may be very distressing at times to be taken back
15 to that time. People are sometimes surprised at how
16 their emotions overcome them. It is quite all right;
17 I do understand that. If you want a break, that's
18 absolutely fine, whether it's just a pause sitting where
19 you are or leaving the room for a little while. If it
20 will work for you, it will work for me, that's the key.
21 Or if there is anything else that we can do by
22 explaining things better than we are doing, sometimes we
23 think we are explaining things well and we are not, and
24 that's our fault.

25 A. Yes.

1 LADY SMITH: You tell us if you don't follow anything.

2 A. No, I do feel I understand, obviously, what's sort of
3 going on.

4 LADY SMITH: Good.

5 A. So, yes, I have a good understanding.

6 LADY SMITH: Good. If you are ready, I will hand over to
7 Ms Forbes and she will take it from there; is that okay?

8 A. Thank you.

9 LADY SMITH: Okay, Ms Forbes.

10 Questions by Ms Forbes

11 MS FORBES: Hi 'Marshall'. You have the red folder in front
12 of you. So, before I ask you any questions, what I am
13 going to do is just ask you to go to the last page of
14 your statement in that folder, it is on page 20.
15 I think the last paragraph on the last page is
16 paragraph 91.

17 A. That's correct.

18 Q. Do you see that's where there is a sort of declaration
19 that's made there? I will just read it out. 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 You have then signed the statement and it is dated
25 17 July 2019?

1 A. Yes.

2 Q. Is that still the position?

3 A. Yes.

4 Q. Okay. You can go right back to the front of that
5 statement now, 'Marshall'. If you need to look at your
6 statement at all while I am asking you questions, feel
7 free to do that; okay?

8 A. Yes.

9 Q. I am going to start by asking you some questions about
10 what your life was like before you went into care; okay?
11 I think you tell us you were born in 1973; is that
12 right?

13 A. Yes.

14 Q. And this was in Dundee?

15 A. Yes, born in there, I was, in Maryfield Hospital.

16 Q. Okay. I think you say to us in your statement that you
17 lived with your mother and there was an older brother at
18 that time in the house, together?

19 A. Yeah.

20 Q. At that time, was your dad not living with your mum?

21 A. No memories of my dad.

22 Q. Okay. I think you tell us that there was a time when
23 you moved to these [REDACTED] flats in Dundee; is that
24 right?

25 A. Yes.

1 Q. How was your life -- your early life there at those
2 flats? What was it like?

3 A. Everything just changed so quickly. It was -- I had
4 a girlfriend who was pregnant, so I had to choose, sort
5 of thing, because I didn't have a father myself. So --
6 obviously, I did have a father, but ...

7 Q. Is this later on that you are talking about, 'Marshall'?
8 I am just asking you questions just now about what you
9 can remember about your early life with your mum and
10 your older brother, way before you went into care.

11 A. Right, right. Sorry, sorry.

12 Q. That's okay.

13 A. Well, in sort of mid -- sort of at the primary school we
14 all got an option to go with our father or stay with our
15 mother, so my stepsister, who is my dad's -- and my
16 other brother, [REDACTED], [REDACTED], they all went to stay
17 there. I was the only one that stayed with my mother
18 and my stepfather.

19 Q. So was there a time when you were living with your mum
20 where you were going to primary school and everything
21 was okay, but then you -- and I think by this time you
22 had a sister who had come along -- were given the option
23 of whether to stay with your mum or to go and stay with
24 your dad; is that right?

25 A. Yeah, basically.

1 Q. And you chose to stay with your mum?

2 A. Yes.

3 Q. But they went to stay with your dad?

4 A. (Nods).

5 Q. So that meant from that point you were separated living
6 together?

7 A. We were basically a line down the sand. It was
8 like: you don't speak to them.

9 Q. Okay.

10 A. Basically, I was aware I was brought up not to speak
11 to -- by my mother -- the family, sort of thing.

12 Q. What you tell us, 'Marshall', about that, your early
13 memories in your statement, you say that at that time
14 your life early on was great. You have quite good
15 memories of going to the woods?

16 A. Yes.

17 Q. Making tents?

18 A. Yes.

19 Q. And I think you tell us about the time when you would
20 steal some golf balls and maybe sell them back to the
21 people playing golf. But everything in general was
22 good?

23 A. Yes, it was just a great playground.

24 Q. Okay. Then your mother -- I think you have mentioned
25 this -- married. You got a stepfather; is that right?

1 A. Yes, they never got married. My mum just got divorced
2 from my dad and went back to her maiden name. I just
3 called him [REDACTED]. I didn't call him Dad or anything.

4 Q. And I think that was fine, and he would take you away
5 sometimes at the weekends and things like that?

6 A. Yes, he was, well, better than my father, anyway.

7 Q. Okay. And I think you tell us that from your point of
8 view you felt like you were a little bit spoiled at
9 home, and things were good?

10 A. Yes, because, like, my mum worked a good job in
11 Valentines, and they say my stepdad was scaffolder.
12 Sometimes he would go down the Coulport and places like
13 that, for submarines and things like that, and do jobs.
14 So I was always -- met my mum on a Friday, sort of
15 thing, get a new top and ...

16 Q. Okay. I think you are saying your mum worked in the --
17 is it the Valentines card factory and [REDACTED] had a good job
18 as well?

19 A. Yes, he was a scaffolder. And, as I said, he is from
20 Kestrel. I can remember, like, my mum working right
21 through, do you know what I mean. And they were always
22 sought after, because the family was good.

23 Q. I think you said at primary school it was okay and you
24 were doing quite well; is that right?

25 A. Yes, everything was great. Just normal sort of life,

1 until, say, Primary 6.

2 Q. At that time, then, 'Marshall', did your mum move to
3 a different part of Dundee?

4 A. Yes, well, it was kind of about halfway through
5 Primary 7. She moved then to the top of the hill, which
6 then made me change allocation schools. So, instead of
7 changing my school in Primary 7, they just left me at
8 Ardler.

9 So all the friends I had built up all my life, they
10 all went to Lawside or Rockwell. But because my sister
11 was at Rockwell, my brother was at Rockwell, my other
12 brothers, they were like, 'You can't go there'. But
13 I was like, 'But that's the best', you know what I mean.
14 They were like, 'You stayed this year, so you go here',
15 so that's where the problems --

16 Q. Problems started. So there was a time after your mum
17 moved you stayed at your old primary school. But, when
18 the time came to go to high school, you had to go to the
19 high school in the new area, where your mum lived; is
20 that right?

21 A. Yeah, yeah.

22 Q. But all your friends were from the primary school in
23 a different area?

24 A. Exactly.

25 Q. So they went to a different high school and you weren't

1 around them anymore?

2 A. No, the high school, Rockwell, was actually closer to my
3 house than the one -- Morgan was.

4 Q. But because of the way the catchment area fell meant you
5 had to go to -- was it Morgan Academy?

6 A. Yes, basically.

7 Q. I think you tell us that really caused you a problem
8 because you didn't know anyone there?

9 A. No one. It was just ... I didn't know what to do.
10 I was just ... left there. Just was ...

11 Q. Did you stop going to school then, at that point?

12 A. Yeah, I just didn't feel ... because I know you make
13 friends and things like that, but I was just sort of
14 rebellious against things, because I wasn't getting to be
15 with my brother or ... it was just that -- and I started
16 saying, 'Well, if you are not going to help me, then
17 I am not going to do what you tell me', sort of thing,
18 which obviously I was never going to win, but ...

19 Q. And even though you weren't supposed to see your brother
20 that stayed with your dad, I think you tell us,
21 'Marshall', that you would ignore that and you and him
22 would go out together and you started hanging about; is
23 that right?

24 A. Yeah. I had to actually visit my brother by going to
25 the -- like, there is a park from my dad's house, and

1 I had to whistle a certain whistle and then he would
2 come up to his bedroom and tell me how long he would be
3 until he finished his tea, so I would wait on him. So
4 that's how.

5 Q. I think because you weren't going to school you started
6 then getting into trouble at home; did you stop going
7 home then?

8 A. I started getting the fear of going home, because I was
9 getting into trouble more and more. So it got longer
10 and longer, until it was eventually all night, and then
11 unfortunately it just went on from there.

12 Q. So this not going to school and then not going home and
13 staying out all night, I think that then meant that
14 people got involved and you ended up at a panel, is that
15 right, in Dundee?

16 A. Yes.

17 Q. So it was a Children's Panel?

18 A. Yes.

19 Q. And this was when you were 12; is that right?

20 A. That's correct, yes.

21 Q. Okay. And as a result of that panel they made
22 a decision about what was going to happen; is that
23 right, 'Marshall'?

24 A. Yes, yes.

25 Q. And what were you told?

1 A. I was told that I was getting put to Burnside for three
2 weeks' assessment order. I wasn't there for three
3 weeks; I was there for nine months.

4 Q. Yes. Now, I am just going to come on now, 'Marshall',
5 and ask you about what happened when you went to
6 Burnside. This first time you go to Burnside, in your
7 mind then you were just going to be there for three
8 weeks?

9 A. Yes.

10 Q. Because that's what you had been told?

11 A. That's it. I didn't understand.

12 Q. I think you tell us a little bit about Burnside.
13 I think it is on Harestane Road and it had four
14 different units. We have heard about the different
15 units that they had in there.

16 A. Yes, I was in every single unit in the place. I was in
17 the Junior Unit first of all, because of my age. And
18 then the next order I was moved to the Senior Unit,
19 Senior Assessment Unit, and then I went to PA 1, and
20 I got put to PA 2, which is sort of planning on --

21 Q. The unit before you kind of move out?

22 A. Yeah, because kind of -- in between there I went out and
23 went to Ann Street Children's Home and then tried to go
24 to school, but that failed.

25 Q. I think, 'Marshall', you tell us in your statement about

1 this first day when you get to Burnside, you go into
2 this Junior Unit; can you remember how you felt that
3 first night?

4 A. Apart from crying all night, I just didn't understand.

5 Q. I think you say you just had to sort of catch on as to
6 what was expected of you and follow everyone else?

7 A. Yes. Basically, you got sort of told in the morning to
8 get this done, and you just had to basically watch other
9 people.

10 Q. So there wasn't anyone really sitting down with you and
11 explaining what you were going to do and what was
12 expected?

13 A. No, not that -- it was basically breakfast, back, and
14 then sort of meetings, saying this is what the rules
15 are, sort of thing.

16 Q. Okay.

17 A. And then basically that was it. Had to get into
18 a routine where it was the same time every morning, same
19 time every night.

20 Q. Okay. So there is quite a structured routine that you
21 had to follow whilst you were there?

22 A. Yes.

23 Q. And that first night, 'Marshall', I think you tell us --
24 this is at paragraph 13 of your statement -- you say you
25 were put in a bedroom and they gave you pyjamas, along

1 with a pair of jeans, a t-shirt and a jumper. And that
2 was you on your own in that room; is that right?

3 A. Yeah.

4 Q. Did they take your own clothes away?

5 A. Yeah.

6 Q. Did you get them back whilst you were there?

7 A. I believe they kept most of my things.

8 Q. Okay. Did you get to wear them during the day or
9 anything?

10 A. No, I couldn't even tell you the name of the clothes we
11 had to wear. They were called 'husky'. It was a plain
12 t-shirt, a plain jumper, a plain pair of jeans, plain --
13 just Adidas -- just, like, trainers, and that was
14 your --

15 Q. That was what they had given you?

16 A. Yeah. Yeah, so everybody wore a uniform, sort of thing.

17 Q. Did everyone there look the same, wearing the same sort
18 of clothes?

19 A. Yes.

20 Q. I think you go on to tell us that those first couple of
21 days were quite difficult for you; can you remember how
22 you felt?

23 A. It was a sore one.

24 Q. Yes. So it was difficult?

25 A. Very difficult. Because the other people think jokes

1 and things like that just kind of laughing. The night
2 staff being -- things like that. And I didn't know
3 these jokes, and things like that.

4 Q. Okay. And you tell us a little bit about the sort of
5 age ranges of the other people who were there. I think
6 you say that the oldest person was about 16 that first
7 time you were there, and the youngest was about 9; is
8 that right?

9 A. Yeah, yeah.

10 Q. When you were there, I think you described that it
11 wasn't actually locked?

12 A. No.

13 Q. Okay.

14 A. No.

15 Q. So you could just leave?

16 A. I just used to knock on the window and say to them, the
17 unit, that's me away.

18 Q. When you were running away?

19 A. When I was just walking out of Burnside, yes.

20 Q. You tell us about some people that worked there, at
21 paragraph 16. You say there was a man called [XO] ?

22 A. Yes.

23 Q. What did you think of him?

24 A. He was a good man. The reason being, that we sort of
25 liked him, was because he smoked a pipe and he used to

1 do that (indicated) and he used to sort of slide down
2 and then get a smoke of his pipe and things like that,
3 you know what I mean.

4 Q. I think you are indicating, 'Marshall', that he used to
5 put his arm under his other arm, so you could sneak --

6 A. Yes, so he'd sort of slide down and get a smoke, sort of
7 thing. Because you had to get a smoking order filled
8 out. So the ones who didn't have the smoking order --
9 sort of like myself, my mum wouldn't sign mine.

10 Q. So your mum wouldn't sign to give you permission to
11 smoke --

12 A. Yes.

13 Q. -- but he would --

14 A. There was a box with everyone's cigarettes, but my mum
15 wouldn't sign it.

16 Q. Had you been smoking before you went into Burnside?

17 A. Yes.

18 Q. Okay. How old were you when you first started smoking?
19 Can you remember?

20 A. Um, I first tried it in Primary 7.

21 Q. Okay. I think you tell us about some other people who
22 worked there. There was a teacher, Mrs Caird, and you
23 got on okay with her; is that --

24 A. Yes, she was a brilliant lady.

25 Q. I think you tell us that when you reached 13 you would

1 go from the Junior Unit up to the Senior Unit?

2 A. Yeah, yeah.

3 Q. And you tell us a bit about the routine, like you say.

4 There was time for breakfast; is that right? And

5 I think you described it as being like clockwork?

6 A. Yes, so it was a regime.

7 Q. Okay.

8 A. All the way through, everybody knew what they were

9 doing.

10 Q. I think you say that there was, you know, these times

11 for meal times, but it would be the same sort of things

12 each week, just a different variation of it?

13 A. Yeah, yeah.

14 Q. If you didn't eat the food you didn't get anything else?

15 A. No. No, that's what you got, and that's basically it.

16 Q. I am just going to move, 'Marshall', to a part of your

17 statement that talks about what would happen when you

18 would be washing and bathing, and things like that.

19 There were showers at Burnside in the unit; is that

20 right?

21 A. Yeah.

22 Q. And that was in a block of showers; is that right?

23 A. Yeah, that was kind of like individual, younger. But

24 older sort of got up -- it was more communal.

25 Q. Okay. So, in the junior, it was a bit more separated,

1 the showers?

2 A. Yes, yes, yes.

3 Q. Could the staff still see you, though, when you were in
4 the showers at the Junior Unit?

5 A. I wasn't really looking.

6 Q. Okay. I think you say in your statement maybe you felt
7 like there wasn't a lot of privacy in that part?

8 A. No, no.

9 Q. Okay. There came a point, I think, that you realised
10 that you could just walk out, if you wanted to?

11 A. Yeah, yeah.

12 Q. Of the building.

13 A. Yeah.

14 Q. That's because the doors weren't locked at that time?

15 A. No, no, didn't get locked until after, like, teatime.

16 Q. And was there a particular part of the day, or thing
17 that was going on, where you would take the opportunity
18 just to leave?

19 A. As I say, it was like a fight against the system with
20 myself. So the more I done wrong, I thought I was
21 getting a bit more, but obviously getting less.

22 Q. Okay. I think you tell us, 'Marshall', there was sort
23 of classes there, like high school, and there was this
24 teacher that we spoke about, Mrs Caird --

25 A. Yes.

1 Q. -- who was an art teacher?

2 A. Yes.

3 Q. And I think it was her class that you would take the
4 opportunity just to run away, to leave Burnside?

5 A. Yeah, yeah.

6 Q. Okay.

7 A. As I said, Mrs Caird, I didn't like doing it from her
8 class because I liked her. She was a nice lady. She
9 was Gaelic, and she taught me a lot. Just a few things
10 that always stuck. And I just -- like, Mr Alexander, he
11 done like woodwork and things like that, and I would
12 just be like, 'I need the toilet', and just basically
13 go, because they couldn't, like, sort of handle you,
14 even though they did. But, if they never caught us by
15 this point, say, from, like, Burnside is there and you
16 come along and turn up and there is a school, and
17 I always knew the point, that whoever was on, I knew how
18 fast they would be able to get, so I know how far I can
19 go up and annoy them, and sort of --

20 Q. Okay. So, if you got to a certain point, then you knew
21 that you would be able to get away if you hadn't been
22 caught?

23 A. Yeah, once I knew what staff were on and how -- who they
24 were at running.

25 Q. How fast they were?

1 A. Yes. Yes, (indistinct) and things like that, so I
2 was ...

3 LADY SMITH: 'Marshall', you mentioned that it was the art
4 class that you ran away from, and you feel bad about
5 doing that to the teacher.

6 A. Yeah.

7 LADY SMITH: Did I pick you up right?

8 A. It wasn't the art class. It was more a general
9 function, English, maths, combined into one sort of
10 thing.

11 LADY SMITH: Oh, right.

12 A. The art teacher -- I can't remember his name -- was
13 good, because he was --

14 LADY SMITH: Did you enjoy the art?

15 A. Yeah, yeah, I enjoyed the woodwork as well, because you
16 got to pick what you want and there was no sort of
17 restrictions on what you can make.

18 LADY SMITH: And was it the same with the art? Were you
19 encouraged to do what you chose to do?

20 A. Yeah. Well, I did -- I did achieve some good art.

21 LADY SMITH: Good.

22 A. But we used to get the -- it was very expensive, so I
23 had to be very careful with the gold -- the black with
24 gold underneath, and you had to scratch it and make
25 things, so the gold would stand out, so, yeah.

1 LADY SMITH: Then you could make a design with the gold
2 showing through the black, after the paint had dried on
3 top?

4 A. It wasn't even paint. It was just -- just stuff you
5 scraped. You just sort of copied the art teacher and --
6 because he was always like didn't throw them, because
7 they were too expensive.

8 LADY SMITH: And in woodwork; what were you able to make in
9 woodwork?

10 A. Anything you wanted. I made a bedside cabinet,
11 a matching table lamp. But one of them was made two
12 different colours, glued them together, put them on
13 a lathe. Got then to --

14 LADY SMITH: Good, good.

15 A. -- a proper working alarm.

16 LADY SMITH: Well done.

17 A. I done a few other things. I made, like, things for my
18 mum, you know what I mean, a wee thing for her
19 magazines. It was good.

20 LADY SMITH: Good.

21 Ms Forbes.

22 MS FORBES: My Lady.

23 I think you tell us your mum was able to come and
24 visit you at Burnside, as well?

25 A. Yes. Unfortunately, my mum wasn't able to drive, so it

1 was my mum's friend that was only able to take her up,

2 every sort of two weeks or whatever.

3 Q. I think you say, a little bit earlier in your statement,

4 that at Burnside you did go places sometimes outwith

5 Burnside, but it just depended on the staff that was on?

6 A. Yeah, yeah. We did do it in Burnside, that was more

7 Rossie, up the Glenn, Glen Esk, Glen Clova, Glen Isla,

8 Loch Brandy. I even had to get airlifted off the

9 mountain.

10 Q. We might come to that. This is when you are in Rossie

11 and you are taken out and something happens?

12 A. Yes.

13 Q. You broke your collar bone; is that right?

14 A. Correct, yes.

15 Q. We will come to Rossie in a little bit. We will just

16 stick with Burnside for the moment, if that's okay,

17 'Marshall'?

18 A. Yeah, yes.

19 Q. I think you tell us you had a Panel while you were at

20 Burnside, but they came into Burnside to do that; is

21 that right? It was in-house.

22 A. Yes, it was in-house meetings, and what they would do is

23 take you at the end. And, to me, they had already made

24 their decision. But they got me to speak and say why

25 should I get this and why should I get that. And it was

1 like -- and I was like, 'You have already made your
2 decision. What am I going to say now that's going to
3 change your minds?', you know what I mean? Either you
4 are going to give me a chance. You won't, and then
5 I will fight you against -- fight against it, you know
6 what I mean, until I do.

7 Q. Did you feel that you were being listened to when you
8 were there?

9 A. No.

10 Q. Okay. You have mentioned the running away; do you know
11 why you were running away from Burnside?

12 A. It's a hard one to say, because, like, when I ran away,
13 I ran away to a lot of different places, like London,
14 Manchester, things like that. So I would basically just
15 go wherever for whatever period, until I got bored or
16 whatever, and then get flown back home.

17 Q. 'Marshall', you said you were told at the beginning,
18 when you went to Burnside, it was only going to be for
19 three weeks. Then that three weeks passed and you were
20 still at Burnside; is that right?

21 A. Correct.

22 Q. Did that make you angry or annoyed, or anything?

23 A. That's what annoyed me.

24 Q. Okay. And was that one of the reasons why you were
25 running away?

1 A. Probably.

2 Q. Okay. And I think you say that you were away for quite
3 a while sometimes; is that right?

4 A. Yeah.

5 Q. It wasn't just a night or two, was it?

6 A. No.

7 Q. I think you say that the first night you ran away with
8 one of the other boys, the first time you did that it
9 was one of the other boys from Burnside; is that right?

10 A. Yeah, yeah.

11 Q. That night; did you have to sleep outside?

12 A. It was like on a -- just down from Burnside there was
13 like a tattie bus, you know what I mean, for ten --
14 things like that. So I was just sat on the bus, sleep
15 there, sort of thing, the three of us. So we just sort
16 of ... hunger got the better of us and then we went back
17 again.

18 Q. So there came a point when you got hungry and decided to
19 go back?

20 A. Yes.

21 Q. And was it cold, as well?

22 A. Very cold.

23 Q. And I think you say that -- and you are talking about
24 this running away, you felt like you couldn't say
25 anything, that you didn't have a voice when you were

1 there?

2 A. No, I was never listened to, never. Everything was
3 always prejudged, you know what I mean. Even if they
4 had given me a chance and I had made it, then great, but
5 at least I would have had a chance, you know what I
6 mean, instead of fighting the system where, at my age,
7 I think I am doing the right thing and I am doing the
8 opposite.

9 Q. I think that first time in Burnside you started getting
10 to be allowed home; is that right? You got leave
11 eventually?

12 A. Yeah, yeah, eventually.

13 Q. Then you actually got to go back home and stay with your
14 mum?

15 A. Yeah.

16 Q. And you were back at high school again; was that
17 Morgan Academy?

18 A. Yes.

19 Q. The same thing, though, I think was happening again.
20 You weren't going to school; is that right?

21 A. It was just a repeating --

22 Q. Yes.

23 A. -- period, and the (indistinct) coming to -- sort of
24 thing, and that didn't help, obviously.

25 Q. And I think that meant you got back to a Panel again and

1 were sent back to Burnside.

2 I think you say that although there was one time you
3 were out on the run and you got charged by the police
4 for breaking into a school, you were actually never near
5 the police?

6 A. No, that was the night we were on the potato bus, and
7 the next day we were charged with breaking into a school
8 or something in Whitfield, and we were like, 'We weren't
9 even in Whitfield'. 'No, yous done that', and they
10 charged us for it. I was like, 'Okay'.

11 Q. And did anything come of that?

12 A. No. It just got blamed on us.

13 Q. Okay.

14 A. I think just because we had run away there was just
15 total blame.

16 Q. But, from your point of view, you never committed any
17 crimes?

18 A. No, no.

19 Q. You were in Burnside originally because you weren't
20 going to school and you weren't going home; is that
21 right?

22 A. Yeah.

23 Q. Then, the second time you go back because, again, you
24 are not going to school?

25 A. Yeah.

1 Q. I think you also say that after you left Burnside --
2 I am not sure if this is the first time, but I think you
3 tell us about a time when you were hanging about with
4 your brother, [REDACTED], and then he knew this older man who
5 just went around the country as a thief, sort of thing.
6 A. Yes.
7 Q. Is that right? And you started hanging about with him,
8 for want of a better word; is that right?
9 A. Yes.
10 Q. Okay.
11 A. It was easier getting about.
12 Q. So he had money; is that right?
13 A. Yes.
14 Q. And he was able to go to places, and you could go with
15 him?
16 A. Yeah, yeah.
17 Q. And I think you say in your statement, at paragraph 32,
18 that as you got to know him you thought, 'If I ran away
19 I could go with him and get away from Dundee', and that
20 way you wouldn't be caught.
21 A. Yes, basically. And, as I say, the money and things
22 like that, for good clothes, and things like that.
23 Q. So he was able to buy you things, like clothes; is that
24 right? Things you wanted.
25 A. I got anything I wanted.

1 Q. Okay.

2 A. Anything.

3 Q. Did he see you as sort of somebody that was good to have
4 around?

5 A. I was like a decoy.

6 Q. Decoy. So he was around with you as a teenage boy and
7 that was a decoy for him committing these dishonest
8 crimes?

9 A. Yes. He did say it looked better, like he had someone,
10 like your dad and your son or something, whatever.

11 Q. Less suspicious?

12 A. Yes.

13 Q. And when you were running away and going with him; how
14 old were you then?

15 A. Um, that would have been Rossie, so between the ages of
16 14 and 16.

17 Q. So did you start hanging about him first of all, though,
18 when you had been in Burnside?

19 A. No.

20 Q. Okay.

21 A. The other two were just friends of my brother, and
22 things like that. And we were sniffing gas, he was
23 getting us that. And as I say, just to block things out
24 because, as I say, everybody else was, like, sniffing
25 glue. That was the sort of thing at that time, know

1 what I mean. Sniffing glue, sniffing nail polish. I
2 like my casual clothes, you know what I mean, used to be
3 a lot of money, so I turned to the gas, and, well ...

4 Q. So that was something you were using?

5 A. I actually slept with it.

6 Q. Slept with the gas?

7 A. I actually slept with it under my pillow, that's how bad
8 it got.

9 Q. Okay. And I think there are parts of your statement,
10 'Marshall', where you talk about the fact that you were
11 running away. And, at one time, you ran away for about
12 three months and you were all over the country, in lots
13 of the major cities, and you were with this older man;
14 is that right?

15 A. Yes.

16 Q. And you committed an offence by stealing something out
17 of Boots and you were caught, down in England?

18 A. That's correct, Stafford.

19 Q. Because you, at that time, had been away for a while you
20 had been listed as a missing child; is that right?

21 A. Yes, I was on the wanted list.

22 Q. At that time, I think you tell us you were flown back
23 and you were taken to Burnside?

24 A. Yes.

25 Q. Yes.

1 A. I got flown back from Manchester to Edinburgh. I was
2 met there by police.

3 Q. So could it be then that one of the times you were
4 running away, in between these periods at Burnside you
5 were with this older man at that point; yes?

6 A. Yes, yes.

7 Q. Okay. There was some concern about the fact that you
8 had been with this older man; is that right?

9 A. I know. I got so much grief over it, because they
10 wanted me to say yes, and I was telling them they were
11 wrong, and they wouldn't listen. And they went on for
12 God knows how long. I believe -- I don't know at what
13 point, but I agreed to go to Friockheim Doctor's
14 Surgery, which is not far from Rossie.

15 Q. So is this at a point, 'Marshall', after you go to
16 Rossie?

17 A. Yes.

18 Q. Okay.

19 A. As I say, they had all this --

20 Q. Information?

21 A. Sort of thing. He says, like, 'But, no, you've got it
22 twisted', you know what I mean. And I said it is just
23 ... I said -- I just explained to them that that wasn't
24 that. And as I said, they got on to me so much for so
25 long, I eventually went to the doctor's just to prove

1 them wrong.

2 Q. Okay.

3 A. You know what I mean.

4 Q. So just to understand what you are talking about there,

5 then, 'Marshall', this is a time a little bit later on

6 when you are in Rossie. And they knew you had been away

7 with this older man, running away more than once?

8 A. From Burnside.

9 Q. From Burnside.

10 A. From Burnside.

11 Q. And they were concerned because they thought this man

12 was a paedophile; is that right?

13 A. Yes, that's correct. Yes.

14 Q. They were asking you if anything had happened to you

15 when you were with this man?

16 A. Yeah, they were basically trying to question me into

17 saying things.

18 Q. But you were telling them that nothing had happened?

19 A. No, I was telling them the truth, know what I mean. And

20 they were like, 'No, no, no, see this', know what

21 I mean. There was like -- just lying, know what I mean.

22 I knew they were lies, know what I mean. Difference

23 between lying, sort of thing, and I was like, 'No, I am

24 not going to make that up just for your benefit'.

25 Q. And this -- maybe we will just go to that, what you are

1 talking about in your statement just now, and maybe just
2 come back to Burnside in a minute.

3 I think you were telling them that nothing had
4 happened, but they were saying something must have
5 happened. They didn't believe you, and eventually you
6 agreed to have a medical examination; is that right?

7 A. Yes, correct.

8 Q. This is where you were taken away. I will tell you what
9 part of your statement that is in. That's paragraph 63.
10 We will go to that just now because you have been
11 talking about it.

12 You agreed to go to the doctor's surgery, which was
13 near Rossie; is that right?

14 A. Yes.

15 Q. Yes. And you say that then you had to be examined. Can
16 you just tell us about that? Because I know it is
17 something that affects you.

18 A. No.

19 Q. You don't want to. That's okay if you don't want to
20 talk about that.

21 A. Sorry, no.

22 Q. Okay. I think what you tell us, 'Marshall', is it was
23 a horrible experience and you found it degrading; yes?

24 A. (Nods).

25 Q. Okay. We can leave that there. So that was something

1 that happened a bit later when you were in Rossie, and
2 this all came about as a result of you running away and
3 being with this older man?

4 A. Yes, they thought --

5 LADY SMITH: And that was you running away from Burnside?

6 A. Yeah, yeah.

7 LADY SMITH: Thank you.

8 A. It started there and carried on. And they used to come
9 up at night and -- I was having nothing in my -- him in
10 the room in Rossie, and then the next morning I heard
11 all of these things. So, eventually, caught -- well,
12 never caught him, but they were watching from the
13 windows to who was coming to my window.

14 Q. So is this the man coming up to Rossie --

15 A. Yes.

16 Q. -- and leaving things for you?

17 A. Yes.

18 Q. Presents?

19 A. Yes.

20 Q. And they were looking out for him and you say
21 eventually --

22 A. Eventually. Because they were like, you know, you go to
23 bed with nothing and you have now a stack of Mars bars
24 like that, and chocolate like that, and chocolate like
25 that. You know what I mean, a new Walkman. It didn't

1 come under the door.

2 Q. I know we have got out of the order a little bit from
3 the timeline. But just going back to, sorry, Burnside,
4 'Marshall', if we go to paragraph 37, I think you tell
5 us that, you know, when you had been running away, after
6 you got back there were some consequences at Burnside;
7 are you able to tell us what happened when you got back?

8 A. As in got back from?

9 Q. Sorry, I think you are telling us, at paragraph 37, that
10 when you had been running away after you came back you
11 were punished; this is at Burnside?

12 A. Oh yeah.

13 Q. Yes.

14 A. They would take me to sort myself as -- I had to get
15 made stand in the corner for two hours, with just my
16 jammies on and a marble floor.

17 Q. Okay.

18 A. I still feel that that caused my Raynaud's phenomenon --
19 spelt R-A, whatever. It is when your hands go -- are
20 cold most of the time, generally, always, you know what
21 I mean. They are only that colour because it is warmer
22 in here. But, yeah, they used to just make jokes on
23 you, and just --

24 Q. Is this members of staff?

25 A. This is, like, people who have maybe been in for a while

1 and, say, going that's the staff (indistinct) a long,
2 long span, says we've got to watch TV, know what I mean.
3 And thinking, know what I mean, can I get a long stand,
4 and going, 'No bother, just stand over there'.
5 Q. So you are getting told -- is by other boys in the unit?
6 A. Yes.
7 Q. To go and ask for a long stand?
8 A. Yes, and they are standing watching me, seven, know what
9 I mean.
10 Q. And when you asked for a long stand; what were you told
11 to do; go and stand?
12 A. Take a long stand in the corner.
13 Q. Okay. I think you said something about -- that you
14 didn't have anything on your feet when you were doing
15 that?
16 A. No.
17 Q. And it was a marble floor, so it was cold?
18 A. It didn't heat up.
19 Q. I think you have indicated just there, 'Marshall', that
20 you also had cold hands; is that right?
21 A. Yes, yes.
22 Q. Would this be at night time?
23 A. Yes, it would be after the staff had went away. It
24 would be the night shift that had changed over, and it
25 was just, like, for their fun.

1 Q. So this was members of the night staff?

2 A. Yeah.

3 Q. But was that as a result of you running away or was that
4 just something that happened?

5 A. That was just things that they would make you do, know
6 what I mean. It would be -- know what I mean. And, 'We
7 will take this off you tonight and you will not get
8 anywhere', know what I mean?

9 Q. I think you say, after you came back from running away,
10 you wouldn't get anything to eat and you would be thrown
11 into your room; is that something you remember?

12 A. Yeah, quite often.

13 Q. I think you describe it as they were cruel to you for
14 a few days?

15 A. Yeah, it was just -- it was like I was getting like sort
16 of gratification annoying them and the paperwork, and
17 things like that.

18 Q. Okay.

19 A. So I would go and do it again. This time I got flown
20 from London Heathrow up to Edinburgh.

21 Q. This is when you were found down in London?

22 A. Yes, that's when I got caught by the police in London,
23 because I was standing about too long in Tower Records.
24 They thought I was like a rent boy, know what I mean.
25 But my friend had something wrong with his teeth and he

1 was at the dental hospital and, because he was late,
2 I was standing there waiting, sort of thing. I am not
3 thinking that sort of thing. And as soon as I spoke,
4 they were like, 'Right, come with us just now'.
5 Q. So this is, I think, the time that you have said
6 about -- you are going away with this older man and you
7 ended up in London, and he was supposed to meet you at
8 a certain time, but he was late and the police came and
9 spoke to you, wondering why a teenage boy was kind of
10 standing around?
11 A. Yes, yes.
12 Q. And that's when they found out you were missing?
13 A. Well, we were taken into the police station and they
14 said, 'What does he look like?' So I told them. I said
15 it was, like, my uncle. And they got him and he was
16 still taking his medication for his sore teeth and I was
17 like, 'Just go', because I knew they wanted him. I was
18 saying, 'Just go', know what I mean, and he never
19 listened to us. So that was me, sort of got back in. I
20 got taken to a place, because the laws are different
21 down there.
22 Q. Okay.
23 A. So I got taken to a place in the middle of the night,
24 got something to eat, and ...
25 Q. And this is before you were brought back up?

1 A. I had to go to court.

2 Q. Okay.

3 A. And I got flown back up from Heathrow.

4 Q. Okay. Just going back a little bit to Burnside,
5 'Marshall', I think you say that some of the staff there
6 you thought were okay and some weren't; is that how you
7 kind of felt with them?

8 A. Yes.

9 Q. So there were some good ones, but some not so good?

10 A. Correct.

11 Q. I think you talk about the fact -- this is at
12 paragraph 38 -- that because you were running away,
13 eventually it was just punishment, punishment, the way
14 you saw it. I think that's when you tell us about this
15 time when you would have to stand on the marble floor
16 for hours and, if you moved, you had to stand for
17 longer; is that right?

18 A. Yeah, if you turned round and said, 'Can I go home
19 now?' -- or, sorry, 'Can I go to my bed now?', know what
20 I mean, or whatever, they would just be like adding
21 an extra hour on it.

22 Q. Okay. That happened to you more than once?

23 A. Yeah.

24 Q. And I think you tell us --

25 A. Even though I realised the joke.

1 Q. Yes, they thought it was a joke?

2 A. Yes, they would still ...

3 Q. But it wasn't a joke to you?

4 A. No.

5 Q. No.

6 A. It took me a while before I cottoned on.

7 Q. 'Marshall', I think you say as well that in relation to

8 the other boys there was always a bully in every unit;

9 is that right?

10 A. Yes.

11 Q. From your point of view, you thought the staff would

12 influence it, because it was easier for them to get

13 other people to do the bullying, rather than them; is

14 that how you saw it?

15 A. Yes, in hindsight, definitely.

16 Q. But then you say something else in that paragraph about

17 staff being free with their hands; are you able to tell

18 us about that?

19 A. Free with their hands?

20 Q. I think you mention -- the phrase you use is

21 a 'backhander'?

22 A. Yes, you would get a backhander just for stupid, trivial

23 things, you know what I mean.

24 Q. Okay.

25 A. You would get a punch, you would get a dead arm, would

1 you get a dead leg. It was -- maybe you are not
2 changing the TV over at the right time, know what
3 I mean. Like, it is hard to explain the settees, but
4 they were kind of square, like foam, so, when you jumped
5 on it, sort of fell into it and you used to just -- you
6 know what I mean, make you pick it up for you again,
7 you -- do you know what I mean. You'd be like, 'Well,
8 do something about it', do you know what I mean. Get
9 with you, let us go.

10 Q. So what were they doing? You indicated something there
11 with your arms. What were they doing at the foam chair?

12 A. Well, we had a television room, like there, and there
13 was a chair, a chair, a double chair, and then two along
14 that way. And that was just the TV room. And when the
15 staff would come in, they would jump from behind you --

16 Q. Right.

17 A. -- you know what I mean, and think it's funny, know what
18 I mean. Jumping on top of you, you know what I mean.

19 Q. Okay, so they would jump on top of you, on the chair?

20 A. They would actually jump on top of you and you would be,
21 like -- you know what I mean, because you couldn't see
22 through that way, you know what I mean, because of the
23 way it was designed. The table tennis was in there, so
24 it was a blind spot. So you didn't see anybody down
25 there, you didn't.

1 Q. Was this something that they did, as -- what they
2 thought was a joke, or did you know what they were
3 doing?

4 A. Aye, it was a regular thing, you know what I mean.

5 Q. Okay.

6 A. Just like a normal thing, as shaking hands nowadays, you
7 know what I mean, basically.

8 Q. I think you tell us as well about pressure points, and
9 them using pressure points on your body.

10 A. Aye. They used us legs, know what I mean. Just to
11 annoy you, know what I mean. And you would be ...
12 because you would be sat, maybe with your legs up that
13 way, know what I mean, with the whatever on your legs.
14 'What was that for?' He didn't put up with that, know
15 what I mean. And then he puts his feet up, know what
16 I mean. You're like ...

17 Q. Okay. And I think you say as well that there were times
18 when you would be restrained?

19 A. Yes.

20 Q. I think you describe that. How many people would be
21 restraining you?

22 A. At least four.

23 Q. Okay. And when you were restrained; what would happen
24 to you?

25 A. They would just contain you, like -- well, sort of carry

1 you, take you to the, like, cell to calm down.

2 Q. Is this a sort of punishment cell?

3 A. Yeah, just like you are going there. There is

4 nothing -- you just get put in, you just get left. And

5 then they decide that you've had enough and you've

6 calmed down or whatever, you know what I mean.

7 Q. When that would happen to you? What would you be doing

8 for them to restrain you?

9 A. Wouldn't be doing anything. Obviously, bigger boys than

10 me would be like, 'You are dead', or whatever, but I was

11 too young to sort of --

12 Q. So you wouldn't necessarily be doing anything that

13 needed you to be restrained when this would happen?

14 A. No.

15 Q. Okay.

16 A. Just -- as I say, between -- once -- like, you only got

17 four channels or something then, whatever. And we used

18 to watch videos and we used to -- there was a guy in the

19 unit, his dad owned the video store, so he used to go

20 and get monthly -- out -- going home. So he would get

21 out, bring a good set back with him, and we would watch

22 the video. And, like, one time because I was watching

23 a video, it was, 'No, you're not', know what I mean.

24 Like, as I say, just do what they want.

25 If you say anything, then you know what you are

1 going to get, so you just go back to your room and

2 just --

3 Q. Okay.

4 This punishment room, I think you call it in your
5 statement anyway a seclusion room; is that somewhere you
6 would be locked in sometimes?

7 A. Yes, just locked in until they felt that they needed to
8 let you out.

9 Q. Okay. And 'Marshall', I think you say that after got
10 back from England, after you had been caught with the
11 shoplifting in Boots, you were brought back to Burnside,
12 you tell us you were put in that seclusion room?

13 A. Yes.

14 Q. Do you remember what you were doing after you were put
15 into the room? I think you tell us you would be
16 screaming, but nobody would hear you because it was so
17 far away?

18 A. Yes, it was pointless screaming after a while. You used
19 to shout everything, all obscenities and things like
20 that. But it was like the more you shouted the longer
21 you got, so you learned to sort of tone it down, sort of
22 thing. Maybe get a half an hour off, know what I mean.

23 Q. And how long would you spend in that room?

24 A. I didn't have a watch, so I wasn't --

25 Q. Well, do you remember whether you were ever there

1 overnight?

2 A. No, no, I don't believe I was ever --

3 Q. You don't remember that?

4 A. No.

5 Q. Okay. I think you also tell us, 'Marshall', in your
6 statement, at paragraph 44 -- I think, though, at this
7 stage you may be talking about Rossie -- but I think you
8 say some of the staff would touch or feel you in a way
9 that made you feel uncomfortable, the way that they
10 cuddled you, and you were very wary?

11 A. Yes, we had, like, windows on the door, and, like
12 a light on, a blue light, so they can see in and see if
13 you are sleeping and you are okay, and whatever.

14 And what can I say? How can I say it?

15 I was young and experimenting, and I believe
16 somebody had been watching us through the window. So we
17 moaned about it and whatever, and we got Velcro to put
18 over our window during the day, but we still had to take
19 it off at night, know what I mean.

20 Q. Was that Rossie, then, or Burnside?

21 A. Rossie.

22 Q. So, from that point of view, there wasn't privacy?
23 There was people looking. Before that happened, there
24 wasn't any privacy.

25 A. You didn't -- you know what I mean. By this time you

1 were in fear. There was nobody there from Dundee to say
2 what do I do now, know what I mean. I was just left to
3 my own devices and ...

4 Q. 'Marshall', I think that after being back at Burnside,
5 I think all together you were maybe there three times;
6 does that sound about right?

7 A. Yes, three times.

8 Q. Did you spend a bit of time in Ann Street, a children's
9 home? I think you are still 13 at that point; is that
10 right?

11 A. Yes, yes.

12 Q. Then I think, after you were in Ann Street, **Secondary Institutions**
13 **Secondary Institutions - to be published later**
14 **Secondary Institutions - to be published later** they put you back to
15 Burnside and then you went to Rossie; is that right?

16 A. Yes.

17 Q. Rossie was a secure unit?

18 A. Yes, well, it was murderers and rapists, so ...

19 Q. You were 14 when you went to Rossie; is that right?

20 A. Yes.

21 Q. I am just going to ask you some questions about your
22 time there. As you have just said, there were murderers
23 there?

24 A. Yes.

25 Q. These were children who had committed serious offences,

1 or were accused of committing serious offences. But,
2 from your point of view, you hadn't -- apart from the
3 shoplifting incident down in England, you hadn't
4 committed any offences?

5 A. No, I was under, I believe a --

6 Q. Is it a place of safety, I think you talked about?

7 A. Yes, a place of safety order, out of parental control.

8 Q. I think the same reasons as to why you ended up in
9 Burnside. This running away and spending time with this
10 older man was the main reason why you were in Rossie; is
11 that right?

12 A. Probably, yes, because they had to contain me somehow.
13 Because they thought --

14 Q. Something was going on?

15 A. Yes. And obviously, in hindsight, now I can see the
16 point, but you just never know when somebody can ...

17 Q. So you are still only 14 when you go to Rossie, and
18 because you are under 16 at that time they didn't see
19 you as an adult and being able to choose who you would
20 be able to go away with?

21 A. Yes.

22 Q. You end up in Rossie, really; is that what happened?

23 A. Yes.

24 Q. I think you tell us, 'Marshall', that just it really
25 wasn't nice sitting having breakfast and mixing with the

1 people who were in Rossie when you were there; is that
2 right?

3 A. You can't get out of your head, know what I mean. I can
4 tell you a story now which I am not -- I wouldn't want
5 any of yous to hear it. You are sitting next to this
6 guy eating your tea, you know what I mean. At that age,
7 that's --

8 Q. So this wasn't something that you had been around
9 before; is that right?

10 A. Yes, I mean this was totally new to me, know what
11 I mean. Murderers, rapists -- I have never stole
12 a thing in my life, sort of thing, you know what I mean.
13 It was like: why should I be sitting next to these
14 people?

15 Q. Yes. During the time that you were at Rossie; how did
16 you feel, just in general, being in that building?

17 A. It was just torture every day.

18 Q. Okay.

19 A. It is just you didn't want to wake up because you knew
20 something would happen. Whether it would be me or
21 somebody else, it was irrelevant to who -- you know what
22 I mean, nobody got a pass key or anything. Know what
23 I mean, it was just --

24 Q. You say nobody got a pass. What was it that would be
25 happening?

1 A. Just staff would come in, in a bad mood, and just take
2 it out on us sort of thing, know what I mean.

3 Q. How would they take it out on you? What would they do?

4 A. Just shout about ... you know what I mean. Just --

5 Q. So there was a lot of shouting when you were there?

6 A. Yes, yes.

7 Q. And that was from staff?

8 A. Yes. Telling us to, like, clean our -- get there, clean
9 that, get this right.

10 Q. And I think you say that there was also somebody
11 there -- this is at paragraph 59, you say there was
12 a staff member who, if you didn't do what you were told,
13 you would maybe get a clout from; is that a Mr GWC,
14 you told us about?

15 A. Yeah, yeah. He was -- we used to -- he used to take us
16 up to, as I say, the Glens, Glen Esk, Glen Isla,
17 Glen Clova, Loch Brandy, and as I say, he got -- I broke
18 my collar bone. He was good that way, but he was a very
19 strict man. Very set in his ways, sort of thing, you
20 know what I mean. If you did anything he would set you
21 straight.

22 Q. Okay. And I think you say, as bad as he was, he was the
23 one that took you to all of these different places?

24 A. Yes, if there was enough staff and things like that, he
25 would take me to different places, and I got to see

1 places I had never seen. I done, like, the rock
2 climbing and things like that, but ...

3 Q. So, from that point of view, there were some good
4 things, maybe, about Rossie that you liked?

5 A. Yes.

6 Q. But I think you tell us it was, you know, a pretty
7 secure place with bars on the windows; is that right?

8 A. Oh yes, they barred the windows, because there were
9 murderers and things like that in there, so it had to be
10 secure.

11 Q. But there were maybe privileges you could get if you
12 weren't one of those people, things like going to the
13 gym or the swimming pool; is that right?

14 A. That's correct, yes.

15 Q. And you were able to do that, eventually; is that right?

16 A. Yes, because the gym wasn't so secure. It was the old
17 hall, Glen Markie, and it didn't have bars on the top
18 windows, so it wasn't secure enough.

19 And the swimming privilege, you had to have that,
20 because you had to come out the front door and walk down
21 to the pool, so you could effectively run. It was
22 possible. Yeah, that was ...

23 Q. And I think you tell us, 'Marshall', at paragraph 61,
24 that the only real education you had was when you were
25 in Rossie. There was quite a few different

1 opportunities for you in there; is that right?

2 A. Yes.

3 Q. You say you actually passed your first Scotvec module in
4 painting and decorating when you were there?

5 A. Yes, it was actually -- my first Scotvec module was in
6 cooking coconuts. I made coconut bars. And then
7 I changed to the painting and decorating, and I had done
8 a module on stippling, and I done that, passed that, and
9 started and carried on for quite a few years afterwards.

10 Q. Did you do that later on as well?

11 A. Yes, yes.

12 Q. I think you did some engineering, and you tell us --

13 A. Yes, built a go kart ourselves on a Friday afternoon.
14 We used to get Friday afternoon to work on it. And we
15 used to race it up and down the back, because it had
16 quite a long strip, sort of thing.

17 Q. So I think you say, 'Marshall', at paragraph 62, that in
18 general Rossie was a good place, but you didn't want to
19 be there, obviously; is that it?

20 A. Yes.

21 Q. And you didn't want to be with the people that were in
22 there?

23 A. No, certainly not.

24 Q. Now, I think we have talked about the fact that from
25 Rossie you went to have this medical examination, and

1 you then go on to tell us that it was too hard to escape
2 from Rossie. But sometimes, when you would get out to
3 see your mum you just wouldn't go back, and that's how
4 you ran away. You weren't able to run away from Rossie
5 itself?

6 A. No, no.

7 Q. But then every time you got out on leave you just
8 wouldn't go back?

9 A. Like, for example, we went to his, and a park in
10 Aberdeen, once, and we were off.

11 Q. So I think you say that then you were actually kept
12 until just after you were 16, because of that.

13 A. Well, I was 16 on the [REDACTED], and I was like, 'Time to
14 go now', know what I mean, and they were like, 'No, you
15 are here for another month', and I was like 'Why?' 'We
16 have decided we are not letting you leave until your
17 [REDACTED]. I said, 'So why do you need to
18 keep us an extra month with no schooling and not be
19 doing anything? Why would you keep me here another
20 month?', kind of thing. And they did --

21 Q. Yes.

22 A. -- they kept me there another month.

23 Q. So you got out the month after your 16th birthday?

24 A. Yes, even though legally I was allowed to leave.

25 Q. Okay.

1 A. They used to put the key in the door and say 'You're
2 about to leave, but you can't'.
3 Q. Just before we leave Rossie, I think you say,
4 'Marshall', that there were some things that happened in
5 Rossie, and that was from the staff, a kind of kick or
6 a punch, or something like that, that would take place;
7 is that right?
8 A. Yes.
9 Q. It was just different staff that did that?
10 A. Yes.
11 Q. There was also, like there was in Burnside, a cell that
12 you could be put in for being punished?
13 A. Yes, basically.
14 Q. I think you tell us that was overnight sometimes, you
15 could be put in there?
16 A. Yes, that was in Rossie, because Rossie was, like,
17 a bigger one. So it was obviously different sort of
18 system.
19 Q. But you did get out. After you left Rossie, you tell us
20 a bit about your life, and you have mentioned this
21 problem that you had with sniffing the gas, and that
22 continued to be a problem when you got out for a while;
23 is that right?
24 A. Yes, it was a very big problem.
25 Q. That was all the way through to 27; is that what it was?

1 A. Yes, until I had a cardiac arrest, yes. Two cardiac
2 arrests.

3 Q. You tell us that you had that cardiac arrest, is that
4 right, at 27, as a result of sniffing gas?

5 A. Yes.

6 Q. And you had to be taken to hospital?

7 A. Yes, I was resuscitated the first time. I don't know
8 how long they took to get to me, but I have no memory,
9 like, for four months.

10 But what I can say is, from what my mum said or my
11 children's mother says, I just stood up, collapsed,
12 cardiac arrest, and they got me back. Took another one
13 in the ambulance, they got me back again. And I didn't
14 believe them, even though they were sitting telling me
15 'Look, you have, you died', know what I mean. I have no
16 memory of it.

17 Q. So is that something that happened as a result of that?
18 That there was some damage to your memory; is that
19 right?

20 A. Yes.

21 Q. Yes. And when you got out of hospital you signed
22 yourself out and then, because of that, they were so
23 worried about you they decided that you needed to be
24 sectioned for your own good. I think you were sectioned
25 for a month; is that right?

1 A. Yes, that's correct. Dr Johnstone, who is in here with
2 us now.

3 Q. Did you get some counselling during that time and see
4 what you were doing to yourself?

5 A. Dr Johnstone was a family friend as well, and it was
6 through him that my life was saved, by sectioning us
7 because ...

8 Q. I think after that you tell us you never touched it
9 again?

10 A. No, never.

11 Q. But I think that led to some other problems with,
12 I think, some painkillers; is that right?

13 A. Yes, well, normally gas sniffers die, so the consultant
14 was like, to my mum, 'We don't know, because normally
15 they are sort of dead by the -- they get to us', or
16 whatever, and they just says its a miracle. You had to
17 learn a lot of things.

18 Q. Okay. I think later on, then, because of this problem
19 with painkillers, you went on to methadone, and you have
20 been back and forward with that, but you --

21 A. I went on it the first time, I was like 'What am I doing
22 this for?', you know what I mean? I am only doing this
23 because I was getting -- they didn't know how to treat
24 us for the withdrawals of the gas, because normally, as
25 I say, they die. So they were giving me dihydrocodeine

1 and diazepam. I was taking them, and then I was just
2 getting them from my GP, but the DPC came along and
3 started saying, 'We will thingy everything', and they
4 said to me: 12 weeks programme and you will be off it.

5 But I wasn't.

6 Q. No.

7 A. That way. After I got to age 40, and I said, 'What am
8 I doing this for?' you know what I mean. It is just the
9 routine. It is just a chain to the chemist. I can't do
10 anything, I can't go anywhere, so ...

11 Q. This is something, 'Marshall', I think you say you are
12 still dealing with that now, but it is something that
13 you want to try to sort out; is that right?

14 A. Oh yes, definitely. It was just Covid. Not that it is
15 any blame on Covid. But I asked them, I pleaded with
16 the mental health team, because there was no GP. My GP
17 had gone. He'd resigned or whatever, and from that
18 I just -- I couldn't get anybody to sort of -- who knew
19 who I was truthfully, you know what I mean. And my
20 Positive Steps worker went, so I was left with nothing.

21 So, basically, I had to -- the mental health team
22 came up the first time and said, 'Go back on it', and
23 I was like, 'No, I don't want it'. I says, 'Just give
24 me a pain killer that obviously helps me', know what
25 I mean. But they were like, 'No, no, no'. So they

1 struck me off. And I says, 'So because I don't take it
2 you strike me off; does that not make me more
3 (indistinct)?' I says, 'I'm bad enough as it is with my
4 mental health, but do you want to make it worse?' And
5 it was just -- the second time they come, they basically
6 had it on me within days. It was like sweeties,
7 basically.

8 Q. So that's a struggle you have had to deal with for
9 a long time.

10 'Marshall', just thinking about your time in care
11 and the lessons we should learn from that, I think you
12 tell us, at paragraph 88, you say we should make sure
13 there is something there for children after they leave
14 care. You say you felt failed because you were left to
15 your own devices.

16 I know you have talked about your struggles with the
17 painkillers and methadone, but I think a couple of
18 things you can be proud of, you have two adult children
19 now, is that right, a son and a daughter?

20 A. Yes, my son, who is 25, he attends St Andrew's
21 University, he also works for the 999 call centre.

22 My daughter, she is 28, she works for the stock
23 market. She is doing great. She has her own car, her
24 own sort of things.

25 Q. So they are both doing really well and I think you tell

1 us you were always involved in their life?

2 A. Yes.

3 Q. Even when you split up with their mum you would have
4 them at the weekends, and that meant you had to juggle
5 quite a lot of things in your life, but those are the
6 two things you can be really proud of.

7 A. Yes, yes.

8 Q. Because you didn't get that opportunity to have a father
9 around, and that's something you think is really
10 important.

11 A. That's it, aye.

12 Q. Now, 'Marshall', I have kept you quite a long time
13 today. I think that's all the questions I have for you,
14 so thank you for answering them.

15 But do you have anything you want to say that you
16 didn't get a chance to say?

17 A. Probably halfway down the street, yes, I will remember
18 something.

19 MS FORBES: Okay. Don't worry too much about that.

20 A. I will come back if I do.

21 LADY SMITH: 'Marshall', can I add my thanks to you for
22 coming along today and, again, for having provided such
23 a detailed written statement to us. I know it is quite
24 a while ago that you did that. I am sorry about the gap
25 between you providing the written statement and us being

1

'Lynn' (sworn)

2 LADY SMITH: Now 'Lynn', do sit down and make yourself
3 comfortable.

4 A. Thank you.

5 LADY SMITH: 'Lynn', a couple of things before I hand over
6 to Mr Sheldon. That red folder on the desk there has
7 your written statement in it. I want to thank you for
8 helping us by providing that in advance. I have been
9 able to study it, and it does give me evidence that
10 I have already got, which is really good. We will talk
11 about some of the aspects of it this afternoon. But it
12 means we don't have to go through every detail that's
13 already in it, because you have worked through that
14 already.

15 But otherwise, 'Lynn', I want to make it clear to
16 you that I am here for many things, but particularly to
17 see if I can make you as comfortable as possible when
18 you are giving your evidence. I know it is not easy.
19 You have agreed to come into a public place to talk
20 about things that are very private to you, your life
21 when you were a child, and some things that you may find
22 quite upsetting to go back to, and talk to us, who are
23 strangers to you, about. If you want a break at any
24 time, please let me know. If it gets too difficult,
25 just say. It is quite all right, I do understand. If

1 start of the statement. I am just going to read the
2 reference number of your statement into the record, but
3 you don't need to concern yourself with that, it is just
4 for our purposes. So 'Lynn's' statement is
5 WIT.001.001.3162.

6 Now, 'Lynn', I don't need to know your date of
7 birth, but I think you were born in 1948; is that right?

8 A. Yes.

9 Q. Okay. And I think you want to tell us about
10 a particular home that you were in, possibly in
11 Dumbarton, you are not sure of the name of it. But also
12 about Balgay school in Dundee; is that right?

13 A. Yes, yes.

14 Q. On the first and second pages of your statement, you
15 tell us a little bit about your early life, your family,
16 your mother and father and your brothers, and about your
17 own current situation.

18 On page 2 of your statement, you tell us about some
19 things that happened in your early life which clearly
20 weren't very pleasant, and I don't think we need to go
21 there with you.

22 But, taking that short, and just going to
23 paragraph 8, perhaps, of your statement. You say there
24 that your mother didn't really like you and she made
25 that obvious.

1 A. Yes, that's true.

2 Q. How did she make it obvious, 'Lynn'?

3 A. She just never really treated me the way she treated my
4 brothers. I think my father, like, just loved me so
5 much that I think she just wasn't pleased about that.

6 Q. You thought she might be jealous of you; is that it?

7 A. Possibly.

8 Q. Okay. In any event, you say that in 1961 she made
9 an allegation that you had stolen £20.

10 A. That's right.

11 Q. And I think you tell us that was a false allegation?

12 A. Mm-hm.

13 Q. What happened then? What happened as a result of that?

14 A. She just -- I am trying to think. I am sure she went to
15 the police, and I got taken to court.

16 Q. First of all, she reported you to the police?

17 A. Yes, mm-hm.

18 Q. All right.

19 A. I got taken to court. And then --

20 Q. Can I just stop you and take this, perhaps, step by
21 step. Your mum has reported you to the police?

22 A. Mm-hm.

23 Q. What's the next thing that happens to you? Did the
24 police come and talk to you?

25 A. Yes.

1 Q. All right. What did they say to you? Do you remember?
2 A. I really -- I would be lying. I really can't remember.
3 I just know that I got taken to court.
4 Q. All right. How soon after your mother made this
5 allegation did that happen?
6 A. Quite quick.
7 Q. Right. A few days, a couple of weeks, more than that?
8 A. Probably a couple of weeks.
9 Q. All right. And in the meantime were you still living
10 with your mother?
11 A. Mm-hm. Yes.
12 Q. So you were taken to court. I think you tell us that
13 was Stirling Sheriff Court; is that right?
14 A. Yes.
15 Q. You grew up in the Bonnybridge area.
16 A. Mm-hm.
17 Q. Would that be the kind of closest Sheriff court to you?
18 A. Yes. That would be, yes.
19 Q. You tell us, in paragraph 9, that there was a trial.
20 A. Mm-hm.
21 Q. Do you remember much about the trial?
22 A. Not really. She just -- it was about the money.
23 Q. All right. And at the end of it, do you remember what
24 happened?
25 A. The judge told her to take me home --

1 Q. Okay.

2 A. -- her and my father, and she says, 'No'. That was it.

3 Q. Do you remember what conclusion the judge reached about
4 the allegation? Did he find that you were guilty or not
5 guilty?

6 A. No, no, no. He says, 'Do you want to take her
7 home?' and she says, 'No'. My dad says, 'Yes', but she
8 says, 'No'. She was the boss.

9 Q. Okay, all right. And what happened then?

10 A. I got taken down the stairs to the cells.

11 Q. And you would be what, 13 at this time; is that right?

12 A. Maybe, about.

13 Q. 1961, so 12 or 13?

14 A. Aye, something like that.

15 Q. So you were taken down to the cells?

16 A. Mm-hm, and I got put in a cell.

17 Q. How were you feeling about that?

18 A. Quite frightened, to be honest. Two men took me down
19 the stairs and I was put in a cell and -- excuse me, I'm
20 shaking thinking about it.

21 Q. Take your time, there is no rush.

22 A. When the two men went back up the stairs, the man that
23 was down the stairs obviously had something to do with
24 the cells, he opened the door, so that I could see out.
25 And then somebody came and got me. They took me

1 somewhere. I don't know where it was. I don't know to
2 this day where it was.

3 Q. I will just come to that in a minute, 'Lynn'. But,
4 first of all, when you were in the police cells at the
5 Sheriff's court; did anyone speak to you? Did anyone
6 tell you what was happening to you?

7 A. No, no, nothing.

8 Q. They didn't say what was going to happen to you?

9 A. No.

10 Q. So you are in the cells; how long do you think you were
11 in the cells at Stirling?

12 A. A couple of hours.

13 Q. All right. And then someone came to get you and took
14 you somewhere else; is that right?

15 A. Got into his car, the back seat, and took me somewhere.

16 Q. Okay. Do you remember how long the journey was? How
17 long were you in the car for?

18 A. I would be lying, I really don't know. I can't
19 remember, because I was quite upset.

20 Q. Sure, you would be very worried and scared, I am
21 guessing.

22 A. Mm-hm.

23 Q. Was it minutes in the car?

24 A. Oh, no, no.

25 Q. Was it hours in the car?

1 A. It was quite a wee while.

2 Q. All right. Could you give us any indication of that?

3 Half an hour? An hour?

4 A. It would be at least an hour, at least an hour.

5 Q. Oh, right, okay. This is maybe a difficult question,

6 possibly an unfair question, but: could you tell which

7 direction you were travelling?

8 A. Well --

9 Q. Don't worry if you can't answer that. It is really just

10 to --

11 A. I am trying to think. We sort of came out of Stirling,

12 so I don't know. I really don't know.

13 Q. All right. That's all right.

14 A. They weren't busy roads. There was a lot of fields, and

15 there wasn't a lot of houses. I can remember that much.

16 Q. Okay.

17 A. But where it was, I don't know.

18 Q. Okay, quite a quiet area?

19 A. Most of the road was quiet.

20 Q. Okay. So you are taken then to a place that you say was

21 a locked establishment?

22 A. Mm-hm.

23 Q. And you are shut in a locked room that was like a prison

24 cell; can you just describe that for us, please?

25 A. It was just -- it had a sink and it had a pail, and

1 a single bed, that was it.

2 Q. There was no toilet?

3 A. Nothing.

4 Q. Okay.

5 A. I just had to use a bucket.

6 Q. Did you have any idea where this place was?

7 A. No, just out the -- it was the corner of my window,

8 because it was all the big buildings that was in front

9 of it. And I could see the sea and I could see a rock

10 in the sea, but that was it. Nothing else.

11 Q. All right. You tell us in the statement that you

12 thought it might have been Dumbarton Rock?

13 A. Well, that was the only rock I could think of at the

14 time.

15 Q. All right. But you tell us you could see the sea as

16 well?

17 A. Yes.

18 Q. Right.

19 A. I could only see, likesay, the sand and some of the sea.

20 Q. Okay.

21 A. It was definitely the sea.

22 Q. All right. You say in your statement you can't remember

23 the name of the institution, but you can remember that

24 it was for boys only?

25 A. Boys only.

1 Q. How did you know that? Did someone tell you that?

2 A. Well, because when I could see out of my window I could
3 see down to the gym, and where they got fed and things
4 like that, and it was only boys.

5 Q. You couldn't see any girls at all?

6 A. Oh no, no.

7 Q. Okay.

8 A. They told me there wasn't any girls.

9 Q. Did anyone say to you that it might have been Bellfield
10 Remand Home?

11 A. I really don't know.

12 Q. You can't remember?

13 A. I really don't know. I would be lying, I don't know.

14 Q. All right. You tell us in the next paragraph,
15 paragraph 13 -- and I don't need their names, but you
16 say you remember sitting beside two boys --

17 A. Yes.

18 Q. -- from the Raploch estate in Stirling?

19 A. Yes.

20 Q. So they were from, very roughly, your area as well?

21 A. Well, about 20 something miles.

22 Q. Sure, sure. It is not right next door to where you
23 were, but from the Stirling area. Did you speak to them
24 at all?

25 A. Mm-hm. Well, when we went down the stair, there was

1 benches, and we were sitting on the benches. And they
2 told me to stay away from that man.

3 Q. Okay, we will come to that man in a minute, I think.

4 A. Other than that, that was the only contact I had with
5 anybody.

6 Q. Okay. When was that in relation to when you arrived at
7 this place? Was that as you were arriving?

8 A. No.

9 Q. Was that on the day you arrived or after that?

10 A. No, the next day.

11 Q. The next day, all right. So you were let out of the
12 cell that you have described?

13 A. No. The next day I was let out for a wee while.

14 Q. Sorry, that's what I meant. Yes, on that next day.
15 What were you meant to do? What did they say you were
16 being let out for?

17 A. For my dinner.

18 Q. Okay. So you went out to eat with the rest of the --
19 well, the boys?

20 A. Mm-hm.

21 Q. Okay. How many were there in the dining area?

22 A. Oh, it looked like there was really a lot.

23 Q. Okay. Were there dozens? More than that?

24 A. God ... I am not one to lie, but there was -- the
25 benches were full. You know, the big long benches?

1 Q. Mm-hm.

2 A. There was about two or three of them, and there was
3 a lot of people.

4 Q. How many boys would be sitting at a single bench?

5 A. I don't know. I was sitting in between -- there was
6 about -- when I was sitting in between them, there maybe
7 would have been about seven or eight.

8 Q. Okay.

9 A. Something like that.

10 Q. And there were maybe three tables like that, you
11 thought?

12 A. I can't really remember about the tables, to be
13 perfectly honest.

14 Q. Right. It is completely all right if you don't remember
15 something. You know --

16 A. Well, when they were getting something to eat I was
17 getting something to eat, but they took me back up the
18 stairs for me to eat mine. I never got to eat with
19 them.

20 Q. Oh, right, you had to eat on your own?

21 A. Mm-hm.

22 Q. Okay. Back in the cell?

23 A. Mm-hm. It wasn't a cell; it was just like a room.

24 Q. A bare room?

25 A. Mm-hm, a bare room.

1 Q. But it did have a window?

2 A. It had bars on it.

3 Q. Was there glass?

4 A. Well, I honestly can't remember, to be honest. I am not
5 one to lie. I can't remember.

6 Q. Sure.

7 A. But it was only about that.

8 Q. Okay. At paragraph 14, from there onwards, you talk
9 about two members of staff at this place.

10 A. Mm-hm.

11 Q. You say there was a smaller, fatter one, and that he
12 wore a cardigan?

13 A. Green. I will never forget him.

14 Q. That stuck in your mind?

15 A. Mm-hm.

16 Q. Do you remember anything about the other man?

17 A. He was nice. He was tall, and he was really nice. He
18 was pleasant.

19 Q. Okay.

20 A. And he would get me something to eat and he would bring
21 it up to me.

22 Q. Did he speak to you at all? Did he tell you anything
23 about what was happening?

24 A. No, he was just pleasant. He would just talk in
25 general, not nothing, anything. Just asked if I was

1 okay, just things like that.

2 Q. Oh, right. The other man -- and you described him as

3 a smaller, fatter one, he was wearing this green

4 cardigan -- he wasn't so nice, I think we understand.

5 A. No.

6 Q. Can you tell us about that, please? Tell us about what

7 happened with him?

8 A. Well, when I was going to my bed I had to get stripped

9 and he was always there. Well, the couple of days I was

10 there. And he would just watch me and he would -- he

11 never done anything sexually to me, but he would touch

12 me, and just horrible. And if I wanted the toilet I had

13 to do it in the sink, and that was it.

14 Q. You were saying that when you were going to bed you had

15 to get stripped?

16 A. Mm-hm.

17 Q. Does that mean you were undressing yourself, or was

18 someone stripping you?

19 A. No, I was stripping myself.

20 Q. Okay. And this man would just come into the room when

21 you were doing that?

22 A. Well, he was in the room.

23 Q. Okay. And did he tell you that you had to undress in

24 front of him?

25 A. I really don't remember. I really -- I would be lying.

1 Q. All right.

2 A. I can't remember. I just know the couple of times --
3 nights I was there, he was always in when I was getting
4 ready for my bed.

5 Q. Okay.

6 A. And he was always -- not anything sexually, but just,
7 you know, touching.

8 Q. Did he have an excuse for being there? Did he have
9 a reason for being there? Did he say, 'I just came in
10 to check on you when you were going to bed', or
11 something?

12 A. No.

13 Q. No?

14 A. Not that I can remember, anyway.

15 Q. You say that he was touching you; in what way was he
16 touching you?

17 A. Just touching, just creepy.

18 Q. What parts of you was he touching?

19 A. Well, not down below.

20 Q. All right.

21 You say that the next morning, I think, he took you
22 down for breakfast --

23 A. Mm-hm.

24 Q. -- and made sure you stayed away from other boys?

25 A. Mm-hm.

1 Q. But you managed to have a word with these two boys from
2 the Raploch?
3 A. The Raploch, yes.
4 Q. And they told you to stay away from this man?
5 A. Stay away from him.
6 Q. Okay. And was it possible to stay away from him?
7 A. Mm-hm, it was.
8 Q. Okay.
9 A. But I couldn't stop him, because I just got taken back
10 up the stairs and he would just lock the door again.
11 Q. Okay. And what happened then?
12 A. It would just be the same thing. I was only there, as
13 I say, a couple of days. I was just glad to get away.
14 Q. All right. Did he do anything to you other than just
15 touch you?
16 A. No.
17 Q. All right. If you look at paragraph 16 of your
18 statement, you see what's said there. Is that right or
19 is that not right?
20 A. That is right. I just didn't want to say it.
21 Q. Well, okay. You can say anything to us.
22 A. I know, but it is embarrassing.
23 Q. You have nothing to be embarrassed about.
24 A. I know, but ...
25 Q. You have nothing to be embarrassed about.

1 A. But you have to be standing in their shoes.

2 Q. Well, anything you can tell us about all this is very
3 welcome, 'Lynn'. We want to hear about it. If you are
4 able and willing to share it with us --

5 A. Mm-hm. I am sorry for lying.

6 Q. No, it is completely fine.

7 LADY SMITH: Are there any parts of what happened that you
8 feel you can tell me, 'Lynn'? I am not here --

9 A. Pardon?

10 LADY SMITH: Are there any parts of what happened that you
11 feel able to tell me? I am not here to judge you. I am
12 not going to criticise you.

13 A. Well, he would touch me, and then --

14 LADY SMITH: In your private parts?

15 A. Mm-hm. And use his private parts as well, so he did
16 rape me, yes.

17 LADY SMITH: He?

18 A. He did rape me.

19 LADY SMITH: He raped you.

20 A. Mm-hm.

21 MR SHELDON: Did he do that more than once, 'Lynn'?

22 A. No.

23 Q. It was just once.

24 A. But, other times -- I was only there, as I say, a short
25 time. He had touched me a couple of times.

1 Q. And was that in a sexual way?

2 A. Well, it was just up the top half.

3 Q. Okay, all right. But there was one occasion when he

4 raped you?

5 A. Mm-hm.

6 Q. Okay. How long do you think you were there? Do you

7 have a recollection of that?

8 A. Maybe two, three days at the most, I would think.

9 Q. Okay. You thought it might have been over a weekend?

10 A. I think it was over a weekend.

11 Q. Would that be right?

12 A. I think it was.

13 Q. Okay.

14 A. I am not sure, but I think it could have been a weekend.

15 Q. Mm-hm.

16 So you are there for possibly a weekend. What

17 happened after that? I think at some point you were

18 taken up to Balgay school, in Dundee?

19 A. Balgay.

20 Q. How did that happen? Did someone from the remand centre

21 take you or was it someone from Balgay, or someone else?

22 A. I think it was the same person that had taken me down

23 from Stirling. I think.

24 Q. Taken you --

25 A. Because it was the same sort of red car, so I think it

1 might have been.

2 Q. All right. Were you given any indication of who that

3 might be? Was this a social worker or someone like

4 that?

5 A. I don't know. I really don't know.

6 Q. Okay. But, at all events, you think the same person

7 came to take you?

8 A. I think so.

9 Q. All right.

10 A. I think so.

11 Q. This was back up the road to Dundee. Were you able to

12 tell that person what had happened to you in the remand

13 home?

14 A. No.

15 Q. No. I mean, this is probably a stupid question, 'Lynn',

16 and I am sorry, but: why not? Why did you feel you

17 weren't able to say anything?

18 A. I just felt ashamed.

19 Q. Okay. Did you feel it was your fault in some way?

20 A. I don't know. I just didn't want to speak about it.

21 Q. Just to say again, you can say anything here.

22 A. I know, I know.

23 Q. It's all right; okay?

24 A. Mm-hm. I just wanted out of it and away.

25 Q. Sure. Put it behind you?

1 A. Pardon?

2 Q. You wanted to put it behind you?

3 A. Oh aye. Mm-hm, I just wanted to put everything behind
4 me.

5 LADY SMITH: You mean going back to the way your mother had
6 treated you?

7 A. Mm-hm.

8 LADY SMITH: Try to move on.

9 A. Mm-hm.

10 LADY SMITH: This man at the first place, you were there
11 maybe over a weekend, I take it he was a good bit older
12 than you?

13 A. Oh, aye. Probably maybe 40s, maybe 50s, something like
14 that.

15 LADY SMITH: Right, okay. And you were barely 13?

16 A. Mm-hm.

17 LADY SMITH: He should have been taking care of you.

18 A. I know.

19 LADY SMITH: Not making use of you.

20 A. I know. And if it hadn't been for this -- I mean, I had
21 forgot about everything, and then when this came up ...

22 LADY SMITH: Yes.

23 A. I just thought: why not? If it helps somebody else.

24 LADY SMITH: Well, thank you for that, 'Lynn'.

25 MR SHELTON: So 'Lynn', taking you back to Balgay and your

1 time there; would it have been about [REDACTED] 1961 that
2 you got there? Does that sound about right.

3 A. Could be, yes. Could be.

4 Q. Okay. You say in your statement you remember that you
5 arrived in the afternoon and you were met by two people,
6 Mr GIS, who you say was SNR, and
7 a Ms McIntosh, who was --

8 A. SNR and SNR, yes.

9 Q. Who was perhaps SNR, or SNR.

10 A. Mm-hm.

11 Q. What was your first impression of them?

12 A. They were lovely, absolutely lovely. You couldn't meet
13 two nicer people.

14 Q. What did they say to you? Do you remember the first
15 thing they said to you?

16 A. Just actually were a bit surprised I was there, because
17 it was such a little thing that had happened. But,
18 other than that, it was good.

19 Q. Okay.

20 A. And I really liked it.

21 Q. Did they tell you how long you were going to be there
22 for?

23 A. Well, I wasn't there all that long, and I got sent home,
24 because they said they had no reason to keep me. So
25 I went home and I went back to school. And I went to

1 a different school, because everybody sort of knew.
2 I don't know how, but I lived in a wee village and
3 everybody sort of knew.

4 And then I stopped going to school again, because
5 I knew if I stopped going to school I would be able to
6 go back up there again. So I did it deliberately.

7 Q. That's because you had enjoyed being at Balgay?

8 A. Mm-hm.

9 Q. And you preferred that to life at home?

10 A. Mm-hm.

11 Q. Okay. Can I just ask you a bit more about life at
12 Balgay, then? You said that Mr GIS and Ms McIntosh
13 were nice?

14 A. Mm-hm.

15 Q. I think you got a uniform; is that right?

16 A. Just like a school uniform, yes.

17 Q. Okay, okay. And you think there were maybe about 30
18 other girls?

19 A. Mm-hm. There would be, yes.

20 Q. Okay, maybe a wee bit more than that, perhaps?

21 A. Well, we were in a dormitory and there was probably,
22 maybe, about 20.

23 Q. Okay.

24 A. At the other end of the school, there was -- they had
25 sort of -- like an open cupboard with a curtain across

1 it, so there was maybe about ten of them up there.

2 Q. Okay.

3 A. I think they had been there longer and they were older.

4 Q. Right, okay.

5 A. So I would say maybe about 30.

6 Q. Okay. What was your dormitory like? Was it just

7 completely open or were there any partitions for beds or

8 anything like that?

9 A. No, just like in here.

10 Q. All right. What about the other girls; were they all

11 the same age as you, or --

12 A. Some were maybe a year or two years older, something

13 like that.

14 Q. Okay.

15 A. I think I was the youngest.

16 Q. All right, okay. And how were the other girls?

17 A. Brilliant.

18 Q. They were okay?

19 A. Mm-hm.

20 Q. There was no bullying or --

21 A. No. No, nothing.

22 Q. -- nastiness?

23 A. No, good teachers, good everything, good food, well

24 looked after. You had to do your wee chores, but other

25 than that, I couldn't complain.

1 Q. And again, I don't need their name, but I think you met
2 someone who became quite important to you in your later
3 life there, and became a good friend?
4 A. Mm-hm, still to this day.
5 Q. Okay. You tell us as well that you had a teacher,
6 a Mrs Blatt, and --
7 A. Loved her.
8 Q. And she -- well, can I just ask: did she teach you all
9 your subjects?
10 A. Everything.
11 Q. Okay, all right.
12 A. She was German. She was lovely.
13 Q. Okay. What were the subjects that you got? Do you
14 recall?
15 A. Just what you would get in a normal school. And then --
16 but she would tell us about -- I have always been into
17 war stories, I always have been, and she would tell me
18 all the war stories, you know, because where she lived
19 it was really, really bad. So we connected really well.
20 Q. Mm-hm.
21 A. I really liked her.
22 Q. Do you remember which part of Germany she was from?
23 A. Oh, I don't know. I really don't know, but she had
24 a hard life. But she was lovely.
25 Q. You say that if you did something wrong you would get

1 a row from the headmaster, but that was it?

2 A. Oh, that's all. You wouldn't get nothing else, no.

3 Q. Okay. What were the rows like?

4 A. Just be something stupid, to be perfectly honest.

5 I can't really remember, it wouldn't nothing serious.

6 You would just get a row, maybe doing something you

7 shouldn't have done or something.

8 Q. Sure. And he would just say, 'Don't do that again', or

9 whatever; is that what it was like?

10 A. Aye, just like that, because he was very nice.

11 Q. Okay.

12 You say, I think, that you were allowed out of the

13 school to go down to the town sometimes; is that right?

14 A. Oh, the doors were never locked. We could go out any

15 time we wanted. Next to us there was tennis courts.

16 There was a big playground. We just used to -- could go

17 there, just come back up the road. As long as

18 everything had been done, what you had to do that day,

19 and that was it. The door was only locked at night.

20 Q. Do you remember where the school was, at the top of the

21 hill, 'Lynn'?

22 A. I still know. I have passed it since.

23 Q. It's great views down to the river.

24 A. Pardon?

25 Q. Great views down to the river from the school?

1 A. Oh, I can't really remember that, to be perfectly
2 honest.

3 Q. All right.

4 A. I know you could see the water, but ...
5 I did pass it a couple of years ago, because my
6 granddaughter is up there. She was up there at uni.

7 Q. Right.

8 A. And her halls were up there. And it was a strange
9 feeling going past --

10 Q. I bet.

11 A. -- but it was just the same as it always was.

12 Q. I think it is still in use as flats now; is that right?

13 A. For the university, yes.

14 Q. I am on page 7 of your statement, paragraph 34. You say
15 you don't remember any visits from social workers or
16 anyone like that?

17 A. No, I can't even remember social workers, to be
18 perfectly honest.

19 Q. Okay.

20 A. I can't remember.

21 Q. How about anyone from the school, the school board, the
22 school managers; anyone like that?

23 A. No, I can't remember anything like that.

24 Q. Okay.

25 A. We were just left to do what we had to do, and that was

1 it.

2 Q. Did other staff speak to you? I mean speak to you in

3 the corridors, speak to you in the evening --

4 A. Oh yes.

5 Q. -- and so on?

6 A. Mm-hm.

7 Q. And that was all quite natural and normal?

8 A. Mm-hm.

9 Q. So you tell us, really, that your first spell at the

10 school was absolutely fine, there were no incidents of

11 abuse?

12 A. No.

13 Q. And you had, actually, quite a pleasant time of it, you

14 felt?

15 A. As I say, I loved it.

16 Q. Okay. But I think earlier on you were saying that the

17 time came when you were let away from Balgay?

18 A. I was sent home.

19 Q. Do you remember anyone saying to you that you were being

20 let out on licence?

21 A. No, nothing like that.

22 Q. Okay.

23 A. Nothing like that.

24 Q. You just knew you had been let out and you were at home?

25 A. Mm-hm.

1 Q. You told us that you were going to a school locally.

2 A. Mm-hm.

3 Q. And you didn't enjoy being at home and you wanted to get
4 back to Balgay?

5 A. Mm-hm, yes.

6 Q. Can you just tell us about that, please?

7 A. Well, it was just I'd never felt comfortable at home.
8 I never, ever felt -- well, with my mother, never felt
9 wanted, and people knew where I had had been, so there
10 was a lot of people talking. So I went to a different
11 school, but I just never felt right. So I just wanted
12 to go back, and back I went.

13 It was a Tuesday night, somebody came and got me,
14 and that was it.

15 Q. Oh, right. Do you remember what that person said when
16 they came to get you?

17 A. No, they just said just to go back.

18 Q. All right. Was this someone from the council, someone
19 like that?

20 A. No, I don't know. I honestly don't know. I didn't know
21 the person.

22 Q. Okay. Were they from the school? Were they from
23 Balgay?

24 A. Well, it wasn't somebody that I knew, no.

25 Q. Okay. So if it had been someone from Balgay, you didn't

1 recognise them from your previous time there?

2 A. Well, I am trying to think. Maybe it was somebody from

3 Balgay. I honestly can't remember. I can't remember.

4 Q. Sure.

5 A. But I couldn't tell you 100 per cent.

6 Q. That's okay. So you are back at Balgay. Is the routine

7 all much the same as it had been before?

8 A. Mm-hm.

9 Q. Okay. Nothing particularly out of the ordinary?

10 A. No. There was only one thing about the school that

11 I hated.

12 Q. What was that?

13 A. When you got up in the morning they had the big long

14 toilets, you know, and there was a lot of cubicles, and

15 the sinks were all along. And because I was an only

16 girl with three brothers -- you had to strip and get

17 washed, and that was the only complaint I would have

18 had, because I was quite busty and I had never done

19 anything like that before.

20 Q. So you had to strip in front of the other girls, that

21 was --

22 A. Mm-hm. And the teacher.

23 Q. The teacher was there as well? Was this a female

24 teacher?

25 A. Oh, it was a female teacher, yes.

1 Q. Okay. I am on paragraph 40 of your statement now. You
2 tell us that there was an incident, and I am going to
3 ask you a bit more about that, just in a moment.
4 I think, really, as background you tell us you became
5 friendly with a girl from Bathgate?

6 A. Mm-hm.

7 Q. Can you recall her name at all?

8 A. No, I really can't.

9 Q. All right.

10 A. No.

11 Q. How long had you known her by the time this incident you
12 are talking about happened?

13 A. Oh, quite a wee while.

14 Q. Okay.

15 A. Mm-hm.

16 Q. Had you known her when you were at Balgay before?

17 A. No.

18 Q. Or just this time?

19 A. Mm-hm.

20 Q. Okay. Would it have been about [REDACTED] 1963 when you went
21 back to the school? Does that sound about right?

22 A. Well, that would be -- I don't know, but it would be
23 probably that.

24 Q. Okay. Does it sound about right?

25 A. Mm-hm, probably the second year at high school.

1 Q. Okay. And how long after you went back to Balgay did
2 this incident that you are talking about happen?
3 A. Oh, I would be lying, I really don't know.
4 Q. Was it days? Weeks? Months?
5 A. Oh, it would be weeks.
6 Q. Weeks?
7 A. Mm-hm.
8 Q. Okay. So you are friendly with this girl from Bathgate.
9 A. Mm-hm.
10 Q. And you tell us:
11 'On two occasions she asked me to go with her to one
12 of the teacher's houses.'
13 A. Mm-hm.
14 Q. What did you think when she asked you to do that?
15 A. Well, the teacher got us to -- it was a man. The
16 teacher got us to take her there, because there was
17 never any problems, and she was always going, and I just
18 thought she was maybe just going to do something, or
19 something like that.
20 And then I went one time, went into the living room,
21 and I was told to sit on that chair, he switched the
22 telly on and I was watching telly. And then about half
23 an hour later, they came back out the room, and then we
24 went back up to the school.
25 Q. Okay. Do you know what the room was that they went

1 into?

2 A. Well, it was a bedroom.

3 Q. Okay. How did you know that?

4 A. Because I could see the bed. Well, not the bed. But,

5 you know, you knew it was a bedroom.

6 Q. Okay, it had that sort of set up?

7 A. Because I was in the living room. And it wasn't the

8 kitchen, because the kitchen was the other side.

9 Q. Was this a flat?

10 A. Oh, it was a way up a lot of stairs.

11 Q. Okay, so it was a flat?

12 A. Mm-hm.

13 Q. And how far from the school was it?

14 A. I would say at the most, two miles.

15 Q. Okay, did you drive there or walk there?

16 A. No, in his car.

17 Q. In his car. All right.

18 A. Mm-hm.

19 Q. So this was a teacher at the school?

20 A. I don't know what he was. I am being perfectly honest,

21 because I didn't really know what his job title was or

22 anything, really, because I would be lying about that.

23 I don't know if he was a handy man, or if he was a --

24 I don't know.

25 Q. All you knew is that he worked at the school?

1 A. Worked at the school.

2 LADY SMITH: Had you seen him at the school?

3 A. Well, I really never paid much attention, to be
4 perfectly honest, because I think he was just new.

5 LADY SMITH: Oh, right.

6 A. I don't know, because -- I really didn't know him, to be
7 perfectly honest.

8 LADY SMITH: So all you knew was that this friend of yours
9 had indicated something to you that made you think it
10 was --

11 A. Aye, she just says, 'Are you coming down?', you know?
12 It wasn't any problem to go, so ...

13 LADY SMITH: From what she said; who did you think he was?

14 A. I don't know. I honestly don't know. I would be lying.

15 LADY SMITH: That's all right. I just wondered whether she
16 said something that made you believe this was a teacher
17 or some member of staff.

18 A. Oh, he was a teacher. He was a member of staff.

19 LADY SMITH: A member of staff?

20 A. Yes.

21 LADY SMITH: That's helpful.

22 A. I just had never come across him.

23 LADY SMITH: I understand that, thank you.

24 MR SHELDON: You just never had a class with him?

25 A. Oh, no.

1 Q. You said earlier you thought he might have been a handy
2 man; was there a reason why you thought that?
3 A. I don't know. I am thinking now he was maybe a handy
4 man --
5 Q. Okay.
6 A. -- thinking back. But, at the time, I don't know.
7 Q. Was there a subject taught at the school called 'home
8 craft', or something like that?
9 A. Mm-hm. No, he wasn't in the home craft, no.
10 Q. He wasn't in the home craft, okay.
11 A. No.
12 Q. What did he look like?
13 A. He would be maybe about -- when you are young it is hard
14 to tell. Maybe about 25/30, something like that.
15 Q. Okay. And you tell us in the statement that you thought
16 he was married?
17 A. Oh, he was definitely married.
18 Q. Okay.
19 A. You knew it was a house where there was a wife.
20 Q. Okay. Again, perhaps an obvious question, but how did
21 you know that?
22 A. Just with her sort of things being there. You just know
23 when you are in a woman's house.
24 Q. I think you told us earlier that your friend, the girl
25 from Bathgate -- and I don't want to put words in your

1 mouth, but I think I understood you to say that she had
2 been there a few times; is that right?

3 A. I think she had been there a few times.

4 Q. Okay. Before the occasion that you went down to the
5 house?

6 A. Because she says to me, 'Just come down with us', and
7 I got the impression that she had been there before.

8 Q. Okay. So did you get the impression that they had been
9 in touch a few times before?

10 A. I think so. I can't say. I just think so. It was
11 just -- it didn't look as if it was -- I couldn't have
12 done that sort of thing if I didn't know the person, if
13 you know what I mean.

14 Q. Mm-hm.

15 A. So I got the impression that she knew who it was. And
16 I was quite happy sitting watching the telly, to be
17 perfectly honest.

18 Q. But I think you are telling us you wouldn't have gone
19 there if it hadn't been for your friend saying it's --

20 A. Oh, I wouldn't have gone, oh no.

21 Q. What did your friend look like?

22 A. She had long black hair. She was very nice. She was
23 lovely looking. She was slim, just very nice.

24 Q. Okay. Do you know what she ended up doing after Balgay?

25 A. No, because we are quite far apart.

1 Q. Was she older than you, then?

2 A. Mm-hm.

3 Q. Oh, right. Okay.

4 A. A couple of years.

5 Q. Okay. Well, you would have been --

6 A. Probably, maybe, about 14, then.

7 Q. You were 14/15.

8 A. I wouldn't have been 15, because --

9 Q. Okay.

10 A. No, I came home when I was 15 --

11 Q. Right.

12 A. -- so ...

13 Q. So you have described this first incident where she

14 takes you to this member of staff's house. You just

15 watched the TV?

16 A. Mm-hm.

17 Q. What did you think of all this at the time?

18 A. To be perfectly honest, I never thought anything. Never

19 thought anything at all.

20 Q. Sure. What did you do then? Did you just go back to

21 the school?

22 A. Then we got taken back to the school, yes.

23 Q. Okay. What sort of time of day was this?

24 A. Pardon? Time of day?

25 Q. What time of day was this?

1 A. Well, it was still clear, so it would be hard to tell.
2 Maybe four-ish, five-ish, maybe something like that.
3 I really don't know. It wasn't dark, anyway.

4 Q. Okay. And again, I am sure it is an obvious question,
5 but the teacher's, the member of staff's wife wasn't in
6 the house at the time?

7 A. Pardon?

8 Q. The member of staff's wife wasn't in the house at the
9 time?

10 A. No. So it must have been before she came in.

11 Q. Okay.

12 A. He definitely had a wife, I know that.

13 Q. So you then talk about a second time when your friend
14 takes you down to the teacher's --

15 A. No, she didn't take me down that time. I was only there
16 once with her.

17 Q. Okay, so what happened? How did that come about?

18 A. He just asked me if I wanted to come down, because she
19 was doing something. I can't remember what it was. And
20 I just went. I thought nothing of it. And little did
21 I know, I was in the room and I got raped.

22 Q. Okay. So I know this is difficult.

23 A. Mm-hm.

24 Q. But can you just walk us through what happened then?
25 This person, this man, had asked you to go down to the

1 flat with him; what was going through your mind at that
2 point?

3 A. To go through where?

4 Q. To go to his house, to go to his flat.

5 A. Well, I never thought nothing of it because I had been
6 before. There is a bit of me thinks he was maybe
7 a handy man, because he had tools, so I don't know.

8 Q. Okay.

9 A. Maybe. I don't know.

10 Q. Tools in the house or in the car?

11 A. Well, he had a -- you know, the things you carry with
12 tools in. I am thinking that -- but I am only thinking
13 that, I don't know.

14 Q. Okay. Did you see these tools in his car or in his
15 flat?

16 A. Er, I think they were in his car.

17 Q. Okay.

18 A. I think, actually, it was a red van he had, a red van.

19 Q. Right.

20 A. I am sure it was.

21 Q. Okay.

22 A. But I don't know. Because I was in the back, so it must
23 have been a van.

24 Q. Right. So you go down to his flat and you were taken up
25 the stairs to the actual flat; what happens then?

1 A. I just got raped, and that was it.

2 Q. He took you through to the bedroom?

3 A. Mm-hm.

4 Q. I am sorry to push you, but what did he do?

5 A. Just got my clothes off me and raped me.

6 Q. Okay. And after that what happened?

7 A. I just ran down the stairs and he ran after me and we

8 just went back up to the school.

9 Q. He ran after you?

10 A. Oh, going down the stairs, anyway.

11 Q. Okay. Did he say anything to you? Was he trying to

12 stop you from leaving?

13 A. Just says: just forget it.

14 Q. He said to you --

15 A. I am not actually saying these were the words he said at

16 the time, but that sort of ...

17 Q. The sense of it was: don't say anything, forget it --

18 A. Mm-hm.

19 Q. -- is that right?

20 A. Mm-hm.

21 Q. Did you see this person at the school again after that?

22 A. Mm-hm.

23 Q. You did?

24 A. But always stayed away.

25 Q. Okay. How often did you see him back at the school?

1 A. Well, not really a lot.

2 Q. Okay.

3 A. Not really a lot. I stayed with Ms Blatt most of the
4 time.

5 Q. Okay.

6 A. With her.

7 Q. Did there come a point where you didn't see him at the
8 school anymore?

9 A. Oh, no, he just -- he raped me twice. Not just once,
10 twice.

11 Q. On the same occasion or on another occasion?

12 A. On another occasion.

13 Q. Oh, right.

14 A. Mm-hm.

15 Q. So he -- well, what did he do? How did he get you into
16 a situation where he raped you?

17 A. Well, he just sort of -- well, when you are that sort of
18 age and you are just sort of frightened and you are just
19 sort of -- I can't explain it. But it happened again.
20 And it never happened again after that, because I went
21 to Ms Blatt and I stayed with her all the time.

22 Q. All right.

23 A. Mm-hm.

24 Q. The second time it happened; was that also at his flat?

25 A. Mm-hm.

1 Q. Okay. And after that you say it didn't happen again
2 because you went to stay with Ms Blatt?

3 A. No.

4 Q. Were you actually staying in Ms Blatt's house, or do you
5 mean --

6 A. Oh, no, no, in the school, in the school.

7 Q. You kept close to her in the school?

8 A. Mm-hm.

9 Q. Did you tell Ms Blatt about what had happened?

10 A. No.

11 Q. Okay.

12 A. I don't think he was there at night, to be perfectly
13 honest.

14 Q. Okay.

15 A. I really can't remember much of him being in the school,
16 but I can never remember seeing him at night time.

17 Q. Sure.

18 A. That makes me think he was somebody who would be maybe
19 a handy man or something like that. I don't know.

20 Q. Do you know if your friend, your friend from Bathgate,
21 told anyone about what had happened, either to her or to
22 you?

23 A. Well, I just assumed she knew. I never said nothing,
24 and that was that.

25 Q. Sure. But do you know if she told anyone, a teacher or

1 someone like that, about any of this?

2 A. I don't know, I don't know. I never really seen her

3 much after that.

4 Q. Well, I was going to ask you: did you stay in touch with

5 her at all after that?

6 A. No.

7 Q. Okay. Was this ever really spoken about?

8 A. Pardon?

9 Q. Was this ever really spoken about?

10 A. No.

11 Q. Okay.

12 A. If Co -- that thing hadn't come out, that abuse Inquiry,

13 I still would not have spoken about it.

14 Q. Okay. So, again, the time came for you to leave Balgay,

15 and you went home again.

16 A. Mm-hm.

17 Q. I think, again taking things short, things for a while

18 didn't go very well for you; is that fair to say?

19 A. No.

20 Q. Okay. And you found yourself in a difficult

21 relationship which ended when you were about 22; is that

22 right?

23 A. 16 until I was about 22, yes.

24 Q. Okay. By this time you had a young family to take care

25 of?

1 A. Mm-hm.

2 Q. But, by the time you were 30, I think you met someone
3 else and things got much better; is that right?

4 A. I have had a great life since then, yes.

5 Q. Okay. I think you are still married?

6 A. Oh, mm-hm.

7 Q. And --

8 A. And I told him everything. He knows everything.

9 Q. Okay. I am on page 10 of your statement, 'Lynn', and
10 you tell us there that you never reported what happened
11 to you, really, until now, I suppose.

12 A. Mm-hm.

13 Q. Why did you not feel able to come forward with that
14 until now; do you think?

15 A. I don't know. I really don't know. Sometimes you just
16 want to get something off your chest. You just want
17 to -- when I met my husband, there was something that
18 came on the television and it was about Jimmy Savile;
19 right? And I started crying, and my husband asked me
20 what was wrong, and then I just blurted it all out and
21 that was it. He said everything would be fine. And
22 that was it. And everything was fine, and it was never
23 spoken about again.

24 Q. What effect do you think all this had on you? I think
25 you said that actually your time at Balgay in some

1 respects was pretty good?

2 A. Oh, it was good.

3 Q. So, looking back now, would you say you had good or bad

4 memories of your time in care?

5 A. Well, looking back on it now, if I am being truthful,

6 I would go through it all again to have my three

7 children and my husband, so that's how I feel. That's

8 the truth.

9 Q. Okay.

10 A. And all my grandchildren and my great grandchildren.

11 MR SHELDON: Good. Well, 'Lynn', thank you very much for

12 sharing your story with us.

13 A. Thank you.

14 MR SHELDON: I don't have anything more to ask you.

15 LADY SMITH: Thank you.

16 MR SHELDON: My Lady.

17 LADY SMITH: 'Lynn', thank you very much for engaging with

18 us as you have done.

19 A. Mm-hm.

20 LADY SMITH: As frankly and openly. As I said, I have read

21 your statement and I know what happened to you in your

22 early life when you were still at home, from your

23 statement, and no doubt that played its part in

24 persuading you this is just something you have to live

25 with and you don't report it to anybody.

1 A. I can't hear you.

2 LADY SMITH: You don't report what happened to you to
3 anybody, I understand that. And let me also tell you
4 this: many witnesses, applicants, sitting where you are
5 sitting, have explained to me for various reasons they
6 didn't report what happened to them either. And none of
7 them thought that anything good would come of it anyway,
8 if they did report. So I fully appreciate that.

9 But thank you for what you have given me in your
10 written statement and in talking to us this afternoon,
11 which has helped my understanding and my learning. I am
12 glad you have other things to be grateful for, in terms
13 of your husband and your family. Carry on enjoying
14 them. I am sure they are very precious to you.

15 A. Mm-hm. Thank you very much.

16 LADY SMITH: And you are able to go now.

17 A. Thank you.

18 LADY SMITH: Thank you.

19 (The witness withdrew)

20 LADY SMITH: I think that's it for today, Mr Sheldon.

21 MR SHELDON: That is it for today, my Lady, yes. No other
22 witnesses, I am afraid. Of course, we completed our
23 read-ins last week, so we are up to date.

24 LADY SMITH: Great.

25 MR SHELDON: Three more witnesses tomorrow, I hope.

1 LADY SMITH: 10 o'clock tomorrow, first witness in person at
2 that point.

3 MR SHELDON: I beg your pardon, my Lady. Ms Forbes reminds
4 me that the first witness tomorrow is by video.

5 LADY SMITH: Oh, it is video link tomorrow, yes.

6 MR SHELDON: Live by video.

7 LADY SMITH: Hopefully tomorrow we won't have any
8 difficulties with the video link.

9 MR SHELDON: Indeed.

10 LADY SMITH: I know at the moment we have no reason to
11 believe we will, but our skills in recovering from
12 problems of that sort seem to be enhancing every day.

13 MR SHELDON: Indeed.

14 LADY SMITH: One name we used this afternoon was Mr GIS's
15 name, and he is not to be identified outside this room.
16 Thank you all. Until 10 o'clock tomorrow morning.

17 (3.08 pm)

18 (The hearing adjourned until 10 am the following day)

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