

## **Scottish Child Abuse Inquiry**

Witness Statement of

KBN

Support person present: N/A.

1. My name is KBN. My date of birth is 1963. My contact details are known to the Inquiry.

### **Background**

2. I have a B.Sc. in Biology, which I attained in 1983, a Post Graduate Certificate in Education, which I accomplished in 1991, and a Diploma in Special Educational Needs, which I achieved in 2000.
3. I have been employed as a lab technician from 1983 to 1985, a coach driver from 1985 to 1990, a teacher from 1991 to 2005, a coach driver from 2005 to 2006 and a bus driver from 2006 to the present day.

### **Kerelaw School**

4. Kerelaw School was at Stevenston in Ayrshire. Its purpose was the social care, welfare and education of young people.
5. My first impressions of Kerelaw when I started my employment were that it was very informal and not like a mainstream school. I observed that it could go from relaxed to volatile very quickly.
6. I found the school to be a caring environment that tried to help very socially and emotionally troubled young people, who could often need that help dealing with crises. Staff were generally supportive of what they believed the best interests of the

individual to be and of the greater school. Relationships between young people and staff were generally very supportive and caring.

### **Time at Kerelaw School**

7. I was a teacher of maths and science and key teacher in the Open School and Secure Unit from 1992 to 2004. I also took up the roles of senior teacher and I was duty officer in the Open School and the Secure Unit, however I am not sure of the dates I did so. I did, however, carry out both roles for some time.
8. I applied for the job after seeing an advertisement in the Times Educational Supplement and internally in Ayrshire Council Education. I know that the role required applicants to be General Teaching Council registered, but I have no idea what references were sought.
9. My line managers were Jim Hunter, who was the head of Education, Winnie Goodwin, who was a principal teacher, FSR [REDACTED] who was also a principal teacher, and Mary Moron, who was head of Education. Only Mr FSR [REDACTED] carried out regular monitoring and development meetings.
10. In 1995 I completed summer mountain leader training (SMLT). I also completed training in a Caring Approach to Violent Behaviour at Gartnavel Hospital, but I am not sure of the dates. I also completed a Post Graduate Certificate in Special Educational Needs in 2000 and I received Therapeutic Crisis Intervention training, but again I am not sure of the dates.

### **Structure and recruitment of staff**

11. The structure of the staff in the Education department at Kerelaw was that there were heads of school for both the open and the secure schools and there were principal teachers and teachers.

12. The structure of staff in social work for both the open and the secure units was the head of school, the head of social work, unit managers, deputy unit managers and care workers, including night care workers.
13. Duty officers operated in both secure and open units. These were people with recognised skills and experience and who were knowledgeable regarding procedures relating to young people. Out of office hours a senior would be on call.
14. The head of school was in charge. The head was very experienced and let staff manage but was always available to help when needed.
15. I was not involved in staff recruitment and my only knowledge of recruitment policy and recruitment practices is the procedure I followed when I was recruited, i.e. seeing an advert in the Times Educational Supplement and with the Council Education Department. I have no knowledge of the extent to which references were obtained, nor whether referees were actually spoke to.
16. No volunteers worked at Kerelaw.
17. I only managed other members of staff during the evening, when I was duty officer. In that capacity, I was responsible for facilitating the good running of the school and had a responsibility for the health and safety of young people and colleagues.

### **Training**

18. I was not involved in training others, however in education, training was related to the needs of the school. Often staff could ask for extra, specific training, e.g. the SMLT course that I completed in 1995.

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

19. I was not involved in supervision of other staff, apart from when I was in the role of duty officer. In that role, I was called to help and supervise during critical incidents. I

sat in unit meetings and I was able to facilitate and suggest alterations to unit trips using school resources. That supervision was in the evenings only and I was not my colleagues' line manager.

20. No volunteers worked at the school, although we did have sessional workers who were vetted and paid.

### **Policy**

21. My only involvement in, or responsibility for, policy in relation to the care, including residential care, of children was through expressing opinions at meetings within the individual units that I had key teacher responsibility for. I did not have any involvement in policy in a whole school sense.
22. As I had no involvement, I cannot say whether such policies changed over time, when, or how that might have happened.

### **Strategic planning**

23. I had no involvement in strategic planning and have no memory of strategic planning. My impression of working at Kerelaw was that we were constantly firefighting and playing catch up. This was particularly the case latterly, as admissions were often unplanned and due to a crisis in some other establishment.

### **Children**

24. Children came to be placed at Kerelaw through emergency admissions, child care panel orders and court orders. It is difficult to say how long children tended to stay, they all had different circumstances.
25. In the open school, there were forty-eight pupils, consisting of four units of twelve pupils, two of those units being female and two male. In the day school there were

approximately six pupils and in the secure unit there were twenty-four, which comprised of three, mixed sex, units of eight pupils each.

26. There were six pupils per teacher in the open school and four per teacher in the secure unit. In open school, a normal staffed shift 3 to 12. Day School 2 to 6. Secure Unit 3 to 8.
27. In the open school, food was cooked in shared kitchens for all meals. Supper was prepared in the living units. In the secure unit, food was cooked in the school kitchen for all meals and eaten in the living units. Supper was cooked by carers in the units. Healthy options and variations from the day's menu were available.
28. All the children had their own rooms and shared or single showers in the open school. It was individual showering in the secure unit as it was mixed sex living units.
29. Leisure time was spent in the school gym, in the units and on recreational trips with staff and some independently. In the secure unit, leisure time was school activity or unit-based, or spent in the school compound. Young people had a choice of activities if it was appropriate and sometimes only if they had earned it. They also could have recreational trips on their own if their care plan allowed it.
30. There were organised day trips at weekends and holidays in the open school, but rarely in the secure unit. There were informal trips too. When I started at Kerelaw I heard of staff taking kids to their homes, but that was only at the start of my time in the school.
31. The young people were educated at the schools in both the open and the secure units.
32. Social work care officers and the local medical practice dealt with any health problems the children had.
33. The children did not do manual work in a formal job sense or for reward. Sometimes they might if they were spending time with staff, but that was simply to help.

34. Only people approved by school care officers and external social workers could visit. Any outside trips with the children had to be part of a care plan.
35. The Police were often in to interview young people and drug workers came in from time to time too, as did social workers on their regular visits. They would get to speak to the kids alone unless they needed an adult presence if there was a legal implication or care discussion. I have no knowledge what was done with reports and how any recommendations they might have made were implemented.
36. Regular reviews decided the continuation of each young person's placement in both open and secure units.
37. I am not really sure of the process for discharge of children leaving the institution. I do know that leaving was often difficult for young people. I believe young people were given support when they were leaving. The next steps would be put in place by their care officer and external social worker.

### **Living arrangements**

38. I stayed two towns away from Kerelaw. The other staff lived all over the west of Scotland.
39. Only approved people had access to the children's residential areas and night care officers had responsibility for those residential areas overnight.

### **Discipline and punishment**

40. Individual units through their care staff would negotiate and implement sanctions and rewards with the young person based on their circumstances.
41. With regard to a formal policy or code of conduct in relation to discipline and punishment, the education department in the schools had a points system to praise

and reward young people. This was a whole school policy as there was residential unit school prizes based on points and there were meetings after school every day of the young people's teachers and social work staff to discuss all matters.

42. No responsibility for discipline lay with senior residents, it was the care staff's responsibility. There was open discussion of these issues in each unit.
43. Punishment was not really applied. It was more sanctions and rewards. Discipline wasn't a term I was familiar with and it was not administered, as I have stated above.
44. I did not discipline children. The only disciplinary consequences we could impose would be a short, fifteen-minute detention or a referral sent to the school unit meeting for discussion. A detention book was kept for school.

#### **Restraint**

45. Restraint was used during my time at Kerelaw in violent situations where there was a danger to young people or staff and it was only used by trained staff.
46. I used restraint in violent situations, as I have described.
47. Kerelaw used therapeutic crisis intervention techniques in relation to restraint.
48. I did not see excessive restraint being used on children at Kerelaw.

#### **Concerns about Kerelaw**

49. I am aware that latterly in my employment at Kerelaw there was an investigation into the Millerston Unit, which turned into the 'Kerelaw Inquiry'. I believe there were concerns about a wide range of abuse, that turned into a police and social work inquiry.
50. I am not sure of the extent to which parents of the children were made aware of such concerns, nor who had responsibility for reporting to the parents.

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

51. There was a complaints and reporting process in place at Kerelaw if any child, or another person on their behalf, wished to make a complaint or report a concern.
52. It was used regularly by key workers taking young persons through the process. Sometimes the process didn't go the full way as the grievance would be resolved. External social workers could take the young person through the complaints process regarding a staff member from the institution.
53. Complaints were received and processed. I received complaints of abuse in relation to violent incidents and restraints.
54. Complaints were recorded in the complaints form, which was passed to a unit manager and also in a 'violence to staff' form, if it was a violent incident. A tracker of all violent incidents was used.

### **Trusted adult/confidante**

55. If a young person had any worries, they could speak to their own care worker, unit managers, external social workers, drug workers or any staff. Additionally, the number for 'Childline' was available in each unit and young people could use unit phones.
56. More complaints were made about institution staff during a period of high admissions of young people who came from Glasgow City Council children's homes. These young people had a history of complaining regarding staff who had challenged their behaviours. The practice at this time was to move the staff member to another children's home until the complaint was resolved.
57. Children did raise concerns in this way, although the practice changed as therapeutic crisis intervention encouraged us to work through difficulties, so the young people had some ownership.



58. Mostly, concerns were dealt with in a meeting with the care worker of young person to find a better way forward. However, if the complaint was more serious it would be investigated and a fact-finding process could lead to a formal meeting.

### **Abuse**

59. I did not know of any definition of 'abuse' that Kerelaw applied in relation to the treatment of children. It was not communicated to me.
60. I did not see any behaviour that I considered to be abuse of any kind taking place at Kerelaw.
61. Children did report abuse to me, but it was mostly about people in their lives outside the school. After discussion with their care worker, you would find matters were in hand and it was their way of telling you they were going through a bad time. Most of these instances were about people from the family or area the young person came from.
62. I cannot be confident that, if any child was being abused or ill-treated, it would have come to light at or around the time it was occurring. Convictions from during my time in the institution happened years after the abuse had taken place.
63. I cannot be confident that no abuse took place. Abusers would not abuse in front of other staff. Abuse could have happened and gone undetected during my time at Kerelaw.

### **Child protection arrangements**

64. Staff were given guidance and instruction on how children in their care at Kerelaw should be treated, cared for and protected against abuse, ill-treatment or inappropriate behaviour towards them through training courses and inter-disciplinary working. There were also policies from the wider council area. I really don't remember all the ways.

65. Staff were encouraged to be open to reporting, although quite a bit of autonomy was given to staff and other adults, including managerial staff, in relation to these matters.
66. I am not sure after all this time what child protection arrangements were in place to reduce the likelihood of abuse, ill-treatment, or inappropriate conduct by staff, or other adults, towards children at Kerelaw. I did think at the time that the arrangements that there were worked, however after the convictions of colleagues, I find it difficult to say, especially after twenty years.

### **External monitoring**

67. I was aware of social work managers and care inspectors visiting Kerelaw, but I have no idea how often. I was aware that they spoke to children, both individually and in a group, but I am unsure if staff or other adults were present as it was a social work inspection and I was not involved.
68. I cannot remember inspectors or other officials speaking to me and I assume they gave feedback, although not necessarily to me.

### **Record keeping**

69. I am afraid I didn't know what the policy was on record keeping or about storage of sensitive information. I do know that there was a very large amount of paperwork and information harvested during the Kerelaw inquiry.
70. I am unable to comment on the historical position as regards record keeping. I never got to view that sort of information on young people. Often you only gleaned small amounts of information so you could give each child an approach they were more comfortable with and an adapted education to suit their needs.

### **Investigations into abuse – personal involvement**

71. I was never involved in any investigation on behalf of Kerelaw into allegations of abuse, or ill-treatment of, or into inappropriate behaviour by staff or others towards children.

### **Reports of abuse and civil claims**

72. I was never involved in the handling of reports to, or civil claims made against, Kerelaw by former residents, concerning historical abuse. Any conclusions that were reached in light of the Kerelaw inquiry came after Kerelaw had closed.

### **Police investigations/ criminal proceedings**

73. I am aware of there having been a police investigation into alleged abuse at Kerelaw. It started just before I left the school in June 2004 and carried on for some years. I believe they are still working on abuse that took place at the institution, however the institution closed before any conclusion was reached.
74. I was interviewed by the police over previously investigated allegations. I have not given evidence at a trial concerning alleged abuse of children at Kerelaw.

### **Convicted abusers**

75. I know that there were people convicted of the abuse of a child or children at Kerelaw.
76. I had personal dealings with them. I had a lot of respect for one former colleague and believed he was an advocate to get the best for the children in his charge. I was extremely surprised at his convictions. The other former colleague I thought very arty, a bit off the wall and thought he communicated well with and cared for the young people. I was surprised by his conviction.

77. They both joined before me so I don't know anything about their recruitment, or their child care qualifications or training, although they must have done the therapeutic crisis intervention training.
78. I have no knowledge of whether they were subject to supervision or monitoring, nor whether there had been any previous allegation of abuse of which the institution or staff had been made aware.

**Other staff etc. working at the establishment at the same time – unless covered in responses to previous questions**

79. I have been asked to provide comment about the following persons who were employed at Kerelaw at the same time as me: KBE [REDACTED]; LEJ [REDACTED]; FSR [REDACTED]; KBS [REDACTED]; KGH [REDACTED]; and FRB [REDACTED].
80. I recall them all, although I don't actually know how old they each were. I liked them all. They were all very different and some were very charismatic characters. They were all very good at working in very difficult situations and all had a very effective way of dealing with the young people.
81. As a teacher, you work on your own a lot, but I would say I knew them all well enough to talk to on a personal level.

KBE [REDACTED]

82. KBE [REDACTED]'s time at Kerelaw coincided with mine a little less than the whole time I was there. He was a unit manager and colleague who I would have worked with in normal interdisciplinary work.
83. I saw KBE [REDACTED] with children and would say he was generally well versed and capable with them.

84. I did not see **KBE** discipline children, but I did see him interact and work with others in dealing with issues that could be described as breaking school or unit rules. He was very good at getting young people to take on board their own behaviours. He managed young people through teamwork, meetings, interdisciplinary practice and sanctions and rewards.

85. I did not see **KBE** abuse children and I did not hear of him abusing children.

**LEJ**

86. **LEJ**'s time at Kerelaw coincided with mine a little less than the whole time I was there. He was an assistant unit manager and colleague who I would have worked with in normal interdisciplinary work.

87. I saw **LEJ** with children and would say he was generally well versed and capable with them.

88. I did not see **LEJ** discipline children, but I did see him interact and work with others in dealing with issues that could be described as breaking school or unit rules. He was very good at getting young people to take on board their own behaviours. He managed young people through teamwork, meetings, interdisciplinary practice and sanctions and rewards.

89. I did not see **LEJ** abuse children and I did not hear of him abusing children.

**FSR**

90. **FSR**'s time at Kerelaw coincided with mine the whole time I was there. He was a principal teacher and colleague who I would have worked with in normal interdisciplinary work. He was my line manager for a period as well.

91. I saw FSR [REDACTED] with children and would say he was generally well versed and capable with them.

92. I did not see FSR [REDACTED] discipline children, but I did see him interact and work with others in dealing with issues that could be described as breaking school or unit rules. He was very good at getting young people to take on board their own behaviours. He managed young people through teamwork, meetings, interdisciplinary practice and sanctions and rewards.

93. I did not see FSR [REDACTED] abuse children and I did not hear of him abusing children.

KBS [REDACTED]

94. KBS [REDACTED]s time at Kerelaw coincided with mine a little less than the whole time I was there. He was an assistant unit manager and colleague who I would have worked with in normal interdisciplinary work.

95. I saw KBS [REDACTED] with children and would say he was generally well versed and capable with them.

96. I did not see KBS [REDACTED] discipline children, but I did see him interact and work with others in dealing with issues that could be described as breaking school or unit rules. He was very good at getting young people to take on board their own behaviours. He managed young people through teamwork, meetings, interdisciplinary practice and sanctions and rewards.

97. I did not see KBS [REDACTED] abuse children and I did not hear of him abusing children.

KGH [REDACTED]

98. KGH [REDACTED]s time at Kerelaw coincided with mine the whole time I was there. He was a night care officer and I did not know him as well as the others.

99. I did not see KGH with children and I did not see KGH discipline children.

100. I did not see KGH abuse children and I did not hear of him abusing children.

FRB

101. FRB's time at Kerelaw coincided with mine the whole time I was there. He was an instructor and colleague who I would have worked with in normal interdisciplinary work.

102. I saw FRB with children and would say he was generally well versed and capable with them. I did not see FRB discipline children.

103. I did not see FRB abuse children and I did not hear of him abusing children.

### **Leaving Kerelaw**

104. I left Kerelaw in 2004.

105. I was dismissed and had to wait some years to successfully take my employer to an industrial tribunal for wrongful dismissal. I was not provided with references, just a settlement.

### **Helping the Inquiry**

106. I am aware that allegations of abuse at Kerelaw have been made and the only thing I can suggest is that there was so many stories the kids told of being "battered", especially in Police cells at weekends, in their community and by their own families. Some of these stories were larger-than-life and I guess they assumed it was like a badge of honour among themselves. This made it difficult to take their claims seriously.

107. Such larger-than-life claims were made about the institution staff. After my having made informal inquiries with their peers and other staff, it was difficult to corroborate. Very importantly, I never saw signs of physical injury that weren't attributed to an event that was known about.
108. I am aware that the Inquiry has information to the effect that the experiences of abuse some children had at Kerelaw has continued to affect them and impact on their lives and I regret if the experiences of the young people troubles them today. I think what I have said above is an appropriate response to this also.
109. Kerelaw was too big. Very disturbed and vulnerable young people could not have their needs met when there were so many young people with such varied problems. As a result of numbers, peer pressures, and not meeting the young people's needs, violent outbursts were all too common and staff ended up dealing with violent incidents, sometimes on a daily basis. Some very bad assaults took place against staff.
110. The training at the time was not adequate to the needs of the kids. I now have more experience of autistic spectrum disorder than most people, my son is autistic. Some training at the time would have been very useful for the young people I worked with. Training in learning and reading difficulties would have been great rather than the more general special educational needs qualification which helped the teachers promotional prospects rather than the pupils learning. I felt we had very vulnerable young people living close to some very violent and abusive young people, who at times were lacking in restraint and any care for others.

### **Applicant allegations**

*Brian Gallacher*

111. I have been provided with a copy of the statement of Brian Gallacher.



112. I remember Brian Gallacher. He was a very disturbed boy who had had a very sad and difficult upbringing. He was very emotional and felt very ill at ease with everything.
113. I did not sanction or punish Brian Gallacher.
114. I did not abuse Brian Gallacher.
115. At paragraph 98 of his statement, Brian Gallacher says: *'There was no nurse or doctor in the home. I had a cut on my head once after a door was slammed in my face when I was trying to run away. I still have the scar. They just gave me butterfly stitches in house and didn't take me to the hospital. It was KBN who did it. I think he should have been teaching maths. I can't remember who gave me the stitches I think it might have been Myra Martin. I remember it was Matt George that came and lifted me after when I was pouring with blood, and HRW took me for a McDonalds to shut me up. McDonalds solved everything and was a way to pay people off.*
116. I have no recollection of slamming a door into anybody's face and would state that actions like this are not things people would associate with me. I have no recollections of any young people pouring with blood as I would have used first aid and called an ambulance.
117. Brian Gallacher also says at paragraph 109 of his statement: *'It was daily physical attacks for me at Kerelaw from the staff and other boys'. At paragraph 110 he states: '...If I stood at the office near the fish tank to get help from the bullying, the staff would come out and either punch me in the chest or scrape my face down the fish tank brickwork. The staff that assaulted me regularly were [...] KBN ...'*
118. As to assaulting this young person or any other regularly, I can only deny this allegation. After a bit of thought I have remembered that Brian Gallagher was a resident of Millerston Unit. It had a fish tank and the Open School where I worked did not.

HQV

119. I have been provided with a copy of the statement of HQV
120. I remember HQV He was a big boy, who very much had a mind of his own. I recall he had a good sense of humour.
121. I did not sanction or punish HQV
122. I did not abuse HQV
123. At paragraph 41 of his statement, HQV states: *'Sometimes at the weekends we would get taken out for the day or go somewhere on a day trip. One time we went hiking somewhere. I don't know where it was but it must have been a Munro we climbed. Me and a few other boys fell back from the main group including the teachers and the guide so we could smoke cannabis. We thought it would be good fun to get high on a mountain. We were caught in a blizzard and got separated from the main group. It was one of the most terrifying experiences of my life. I thought we were going to die. The guide came back and rescued us and put up a tent where we took shelter until the blizzard passed. The guy who organised these trips did a lot of hiking and I always wanted to go with him. His name was KBN This was the only time I went with him. The supervision wasn't great on this trip the fact that this was allowed to happen'*.
124. HQV was not taken hillwalking again after this incident that he partially describes. This was not a punishment but a safety issue.
125. The hillwalking trip described was part of the school curriculum. Over many years of successful trips this was the only trip I needed to write a report on. We were walking in low cloud in the Southern Uplands on a lower level walk near Wanlockhead. Myself and another qualified leader, Tom Black from Outdoor Active Pursuits, took the group. After a short while we noticed two boys were missing. This had never happened before. I brought out a temporary shelter for me and the rest of the group and we had

our lunch. My colleague went and found the kids and guided them back to the group. It is only today I found out the reason they separated from the group.

126. After supplying a report to the head of school, he decided it wasn't safe for anyone if the boys went hillwalking. I agreed with this decision. It was sad as I felt the boys could have got a lot from this activity and liked their company.
127. At paragraph 43, HQV [redacted] states: 'KBN [redacted] taught geography or history. Basically there was no attempt to educate me.' I taught Science to this pupil and not Geography or History. After reflection I can remember him doing his Standard grade Science examinations. My memory was of HQV [redacted] doing a Standard Grade Science Investigation. I do not recall whether he sat the final exam.

**information**

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

Signed. KBN [redacted] .....

Dated... 4-4-24, .....